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6 RESPONSE AND RECOVERY TO ENVIRONMENTAL

7 CONCERNS FROM THE 2017 HURRICANE SEASON

8 TUESDAY, NOVEMBER 14, 2017

9 House of Representatives

10 Subcommittee on Environment

11 Committee on Energy and Commerce

12 Washington, D.C.

13

14

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16 The subcommittee met, pursuant to call, at 10:00 a.m., in
17 Room 2123 Rayburn House Office Building, Hon. John Shimkus
18 [chairman of the subcommittee] presiding.

19 Members present: Representatives Shimkus, McKinley, Barton,
20 Murphy, Blackburn, Olson, Johnson, Flores, Hudson, Walberg,
21 Carter, Walden (ex officio), Tonko, Ruiz, Peters, Green, DeGette,
22 Dingell, Matsui, and Pallone (ex officio).

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23 Staff present: Ray Baum, Staff Director; Mike Bloomquist,
24 Deputy Staff Director; Allie Bury, Legislative Clerk,
25 Energy/Environment; Karen Christian, General Counsel; Jerry
26 Couri, Chief Environmental Advisor; Wyatt Ellertson, Research
27 Associate, Energy/Environment; Adam Fromm, Director of Outreach
28 and Coalitions; Theresa Gambo, Human Resources/Office
29 Administrator; Jordan Haverly, Policy Coordinator, Environment;
30 A.T. Johnston, Senior Policy Advisor, Energy; Mary Martin, Deputy
31 Chief Counsel, Energy & Environment; Alex Miller, Video
32 Production Aide and Press Assistant; Tina Richards, Counsel,
33 Environment; Dan Schneider, Press Secretary; Hamlin Wade, Special
34 Advisor, External Affairs; Everett Winnick, Director of
35 Information Technology; Andy Zach, Senior Professional Staff
36 Member, Environment; Jeff Carroll, Minority Staff Director;
37 Jacqueline Cohen, Minority Chief Environment Counsel; Caitlin
38 Haberman, Minority Professional Staff Member; Rick Kessler,
39 Minority Senior Advisor and Staff Director, Energy and
40 Environment; Jon Monger, Minority Counsel; Alexander Ratner,
41 Minority Policy Analyst; Andrew Souvall, Minority Director of
42 Communications, Outreach and Member Services; Tuley Wright,
43 Minority Energy and Environment Policy Advisor; C.J. Young,
44 Minority Press Secretary; and Catherine Zander, Minority

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Environment Fellow.

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46 Mr. Shimkus. We will ask staff to close the back door,
47 please, and ask the committee to now come to order, and I will
48 recognize myself for five minutes for an opening statement.

49 I want to thank all our witnesses for joining us today. We
50 are especially grateful for those of you who have traveled
51 significant distances to be with us today to share your stories
52 about the hurricanes that tore through our
53 country this fall and about the impact of those hurricanes on the
54 environment.

55 We know that many of you are still in the trenches of
56 dealing with the response and recovery efforts, so your
57 willingness to take the time to be here today does not go
58 unnoticed.

59 This fall, the continental United States and some United
60 States territories in the Caribbean experienced severe weather
61 from five hurricanes, including extensive damage due to landfall
62 from four storms.

63 Hurricane Harvey impacted Texas and Louisiana; Hurricane
64 Irma hit Florida, Georgia, Puerto Rico, and the U.S. Virgin
65 Islands; Hurricane Maria, again, hit Puerto Rico and the U.S.
66 Virgin Islands; and Tropical Storm Nate impacted Louisiana and
67 Mississippi.

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68 The Energy and Commerce Committee is conducting a series of
69 hearings to look at the response and recovery efforts conducted
70 during this hurricane season so we can figure out what went well
71 and what we could we have done better, what we need to do is going
72 -- and what we need to do going forward.

73 We are also focused on what Congress can do to assist the
74 impacted communities as they work to get back on their feet.

75 Today we are focused on the environmental impacts of these
76 hurricanes and the response efforts. No two hurricanes are alike
77 and a storm's individual characteristics like the speed,
78 intensity, and amount of precipitation, play a large role in the
79 extent of the storm's impact on natural resources and the
80 environment.

81 For example, as we will hear from several of our witnesses,
82 Hurricane Harvey may have significantly
83 impacted several Superfund sites in Houston because of the record
84 rainfall and flooding.

85 Likewise, in Puerto Rico, Hurricanes Irma and Maria
86 uncovered the intensified issues associated with aging and
87 inefficient energy infrastructure, contaminated sites that are
88 rapidly multiplying, landfills that are already overflowing, and
89 possibly the most contaminated

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90 drinking water supply in the United States.

91 Residents across the island are still without power and
92 reliable source of -- and a reliable source of drinking water.
93 Many are drinking potentially contaminated water because water
94 purification systems have largely failed in the wake of the storm,
95 and in the municipality of Dorado citizens resorted to drinking
96 well water from Superfund sites.

97 Today, we will look at the response efforts by the
98 Environmental Protection Agency and the states for the impacted
99 communities. We will consider environmental issues in the
100 hurricane-impacted communities such as the availability of clean
101 drinking water, the potential for air
102 releases, the impact on Superfund sites and solid and hazardous
103 waste disposal facilities, and risk management and emergency
104 response plans.

105 We hope to hear from the affected EPA regional administrators
106 about their efforts, what they accomplished, what remains to be
107 done, and what can be done better in the future and how Congress
108 can assist.

109 We will also hear from several private sector witnesses from
110 academia as well as people who are serving in the boots-on-the
111 ground roles in Texas and Puerto Rico, and people who can weigh

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112 in on what needs to be done regarding the drinking water systems
113 in the affected communities.

114 Again, I thank all our witnesses for being here. I hope the
115 discussions will start today about the response and recovery
116 efforts, the National Response Framework, and about whether
117 statutory or other changes need to be made.

118 We will adjust the beginning as we continue to oversee and
119 assist the federal and state governments as they carry out the
120 response and recovery efforts for the communities impacted by the
121 hurricanes.

122 And before I yield back my time, I am going to yield 30 seconds
123 to Marsha Blackburn.

124 Mrs. Blackburn. Thank you, Mr. Chairman.

125 I want to welcome our witnesses. So pleased that everyone
126 is here. There are so many different aspects to preventing,
127 planning for, responding to the natural disasters, as the chairman
128 has said, and these events are taking a toll on our communities,
129 also on our nation.

130 And so much is involved in it -- today, the environmental
131 aspects, but also looking at the health aspects and we know that
132 they all have to work hand in hand.

133 I have got a piece of legislation, H.R. 1876, the Good

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134 Samaritan Health Professionals Act, that deals with that one
135 component of making certain that people are cared for
136 appropriately.

137 But we thank you for being here. We want to do what is right,
138 we want to be helpful to the process, and we want to make certain
139 that citizens are cared for in these situations.

140 And I yield back.

141 Mr. Shimkus. Gentlelady yields back her time to me, and
142 before I turn to the ranking member I also want to mention that
143 we will have sitting in with us Jenniffer Gonzalez, who is the
144 resident commissioner of Puerto Rico. She's going to be sitting
145 at the dais but per committee rule she can't ask questions. She
146 can't make an opening statement. But when she comes I will make
147 sure I recognize her.

148 With that, I yield back my time and yield five minutes to
149 the ranking member, Mr. Tonko, for five minutes.

150 Mr. Tonko. Thank you, Mr. Chair.

151 It is important that we are holding this hearing and I thank
152 you for doing that.

153 I was sad to hear the news that our friend, the former ranking
154 member of this subcommittee and the current ranking member of our
155 Health Subcommittee, Gene Green, will be retiring at the end of

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156 the 115th Congress.

157 I know Gene was here a few moments ago. But I want to thank
158 him for his friendship and know that he will -- and I certainly
159 know that he will be fighting for disaster assistance for
160 Houstonians for the next 13 months. So we wish him well.

161 And I thank all of our witnesses for being here. It is great
162 to have EPA witnesses join us on this very important topic. I
163 hope Administrator Pruitt will appear before the subcommittee at
164 some point in the near future as well.

165 I want to especially take this opportunity to welcome
166 Administrator Peter Lopez. Mr. Lopez and I have worked together
167 for many years. His former Assembly district overlapped a
168 portion of New York's 20th Congressional District.

169 Our constituents were hit hard by Hurricane Irene and
170 Tropical Storm Lee, and we well know that disasters don't
171 discriminate.

172 Peter, you are an outstanding public servant and I wish you
173 well in your new role and it is great to have you at the witness
174 table today.

175 Mother Nature does not discriminate. She doesn't care if
176 you are a Republican or a Democrat, and our government must be
177 ready to respond to help everyone get back on their feet.

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178 So I hope you can take the lessons learned over the years
179 both in the response and recovery efforts and apply them to assist
180 our fellow Americans in need now.

181 We know the recovery effort will be long. But, sadly, in
182 Puerto Rico and the United States Virgin Islands the response
183 effort is still underway.

184 Far too many Americans continue to live without electricity
185 or safe drinking water and that is simply unacceptable.

186 On today's panels we will hear about the work done in the
187 aftermath of Hurricanes Harvey, Irma, and Maria, to address
188 environmental concerns.

189 EPA plays an important role in disaster response by assessing
190 and restoring water systems and Superfund sites, responding to
191 chemical and oil spills, and monitoring air quality.

192 I know there will be a wide variety of issues addressed today
193 including Superfund, chemical safety, air emissions, and debris
194 management.

195 I am particularly concerned about water systems, which we
196 know are often aging and in disrepair, even without the stress
197 of a disaster.

198 There are legitimate questions as to whether state revolving
199 fund loans are the most appropriate vehicle to get communities

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200 back on their feet following such devastation.

201 In Texas and in Florida, flood waters were contaminated with
202 bacteria and toxins. Water included high concentrations of E.
203 coli as well as elevated levels of lead, arsenic, and other heavy
204 metals.

205 In Puerto Rico, we have heard stories of people drinking from
206 and bathing in contaminated rivers. There have been a number of
207 reported cases of leptospirosis.

208 The media even reported people using a well located -- a well
209 located on Superfund site, which only after the fact was
210 determined to meet federal drinking water standards.

211 These examples show the direness of the circumstances that
212 Americans faced following these disasters -- no power, no clean
213 water, and driven to acts of desperation.

214 These hurricanes should serve as a reminder that EPA is one
215 of our nation's most essential public health agencies. EPA has
216 important work to do as recovery for these disasters begins.

217 But the drastic proposed reduction to EPA's budget,
218 personnel, and environmental safeguards will make it harder to
219 fulfil its mission including supporting disaster response and
220 disaster recovery.

221 Preserving a strong EPA is critical to the health of

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222 Americans. These storms have made that clear. A robust EPA will
223 make communities more resilient.

224 For example, today we will hear about the risks posed to
225 Superfund sites by disasters and the work EPA has done to assess
226 these sites both before and after storms.

227 But the best and perhaps only way to mitigate the risks to
228 these sites is through actual remediation. Reducing funding to
229 the Superfund program will not make cleanups happen any quicker
230 and will not make sites less vulnerable to storms.

231 I would also be remiss if I did not mention climate change
232 and the role EPA should be playing in addressing that threat. If
233 we continue to ignore climate change, increasingly severe
234 disasters will become the new normal and we can expect many more
235 hearings like this one in the future.

236 I hope we can work together to ensure EPA has the resources
237 necessary to support disaster response efforts and make our
238 communities more resilient to disasters before they occur.

239 I look forward to hearing from the witnesses today and yield
240 back and, again, thank you, Mr. Chairman.

241 Mr. Shimkus. Gentleman yields back the time.

242 The chair now recognizes the chairman of the full committee,
243 Mr. Walden, for five minutes.

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244 The Chairman. I thank the gentleman.

245 Today marks the third hearing our committee has held to
246 examine the response and recovery efforts for the hurricanes that
247 ravaged our communities along the Gulf Coast and our island
248 territories in the Caribbean.

249 And I would note for the committee in response to our concern
250 about the situations especially in the island territories we will
251 be having a congressional delegation -- a pretty high level
252 limited seating capacity trip -- to Puerto Rico and the Virgin
253 Islands coming up most likely early next month to have -- get a
254 firsthand look at the situation. You will get more information
255 as we go along.

256 Hurricane response and recovery deals with human tragedy.
257 These storms didn't just damage property and displace residents.
258 They delayed dreams and fundamentally altered the lives and
259 fortunes of millions of Americans in ways big and small.

260 While we cannot undo the damage of these storms we can work
261 to ensure the federal government is diligently doing its job to
262 aid recovery and not making it harder to get that job done.

263 Public health risks typically associated with natural
264 disasters including drinking water contamination and the leeching
265 of hazardous waste are varied and include heightened risk of

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266 infectious disease, as you all know.

267 These risks can be particularly dangerous for vulnerable
268 populations such as individuals with immuno suppressed and the
269 elderly and infants, clearly.

270 Our job this morning is to better understand who in the
271 context of environmental concerns that bear on public policy is
272 engaging in the tough work to help speed recovery, what they are
273 doing or not doing to make hurricane victims lives better and the
274 challenges they face, when will something resembling normalcy
275 return and where are the resources coming from to make recovery
276 a reality and what private efforts can be leveraged. So it is
277 all the who, what, when, where, and why and how.

278 We also need to determine whether the federal presence is
279 helping or hurting that recovery and, if so, how do we -- how do
280 we change things that need to be changed.

281 Some of the areas we hope to cover today will have to go
282 unaddressed for now. We had hoped to have a Puerto Rico solid
283 waste official testify via video conference about the situation
284 on the ground there.

285 Last week, she confirmed she would testify but then,
286 unfortunately, power went down on the island and our ability to
287 communicate with her was lost.

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288 We also hoped to hear from the Federal Emergency Management
289 Agency about its work leading response efforts and improving
290 funding for recovery activities. But they were unable to find
291 someone who could testify. Pretty remarkable.

292 We will continue working with FEMA to ensure these questions
293 are answered so we can feel confident in both statutory authority
294 and administrative practice, support rational decision making,
295 and promote the needs on the ground.

296 That said, I want to welcome our witnesses today. Thank you
297 for being here. Some of you have come great distances but each
298 of you has important lessons for our committee to learn and we
299 appreciate your participation.

300 I am confident that in the midst of all this bad news you
301 will provide us some stories of dedication, innovation, gumption,
302 acts of personal sacrifice, kindness, and courage.

303 These should inspire us to be equally fearless and committed
304 in our work ahead. And in this committee and its broad
305 jurisdiction we do roll up our sleeves and search for solutions
306 to the various challenges that present themselves after a major
307 disaster and we want to make sure the agencies under our
308 jurisdiction are well prepared, responding appropriately, and
309 that lives are improving as a result.

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310 If not, we want to know about it so that we can fix it. I
311 expect that this will be an excellent hearing for us to identify
312 vulnerabilities and assess what is needed to better prepare and
313 respond to this and future storms and disasters.

314 So thank you for being here. We look forward to working with
315 you. I know the former chairman of the committee, the vice
316 chairman, has a special announcement he'd like to make now about
317 some of our folks in the audience who are with us today.

318 So with that, Mr. Chairman, I would yield to the gentleman
319 from Texas the remainder of my time, Mr. Barton.

320 Mr. Barton. Well, I thank you, Chairman Walden. Thank you,
321 Chairman Shimkus and Mr. Tonko, for holding this hearing.

322 I had the privilege way back when -- have been a White House
323 fellow under President Reagan back in 1981 and part of 1982 and
324 today I have the current class of White House fellows on their
325 visit to the Hill.

326 They are in the back lefthand corner. They are 14 of the
327 best and brightest young Americans. They work for Cabinet
328 secretaries or agency heads. They are full of vim and vinegar
329 and I told them they are in the best committee in the House. So
330 we want to welcome our White House fellows and wish them the very
331 best in the years ahead.

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332 [Applause.]

333 I also want to welcome our two Texas witnesses, Dr. Shaw and
334 Mr. Sam Coleman. Mr. Coleman is the acting administrator --
335 regional administrator, Region 6, at EPA in Dallas, and Dr. Brian
336 Shaw is head of the TCEQ down in Austin, Texas. They are both
337 good men and good friends of mine. We welcome them to the
338 committee.

339 With that, I yield back, Mr. Chairman.

340 Mr. Shimkus. Gentleman yields back his time.

341 The chair now recognizes the ranking member of the full
342 committee, Mr. Pallone.

343 Mr. Pallone. Thank you, Mr. Chairman.

344 Environmental impacts from this season's hurricanes have
345 wreaked havoc and continue to threaten public health in serious
346 and unacceptable ways.

347 The federal government's response to these hurricanes has
348 been disorganized and in the instance of both Puerto Rico and the
349 Virgin Islands it has been too little and too late and we must
350 step up our efforts.

351 Two weeks ago, the Subcommittee on Energy held a hearing
352 focused on energy infrastructure recovery efforts, which is a
353 central and ongoing concern, and last week we saw a major setback

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354 in the recovery of the electric grid in Puerto Rico when a repair
355 transmission line failed.

356 And today, more than two months after Hurricane Maria, more
357 than half of the island is still without power and that is
358 adversely affecting everything from health care to access to safe
359 drinking water.

360 This lack of electricity puts lives at risk and must be
361 addressed. Unfortunately, at this point, it does not appear that
362 any agency within the federal government is standing up and taking
363 full control of this effort.

364 The Army Corps and FEMA say the other is in charge and that
365 is unacceptable. Someone needs to take the lead now.

366 This is also far from the only challenge facing communities
367 in Texas, Florida, Puerto Rico, and the Virgin Islands.

368 First and foremost is the lack of safe drinking water. This
369 has been a problem in all of the areas affected by these hurricanes
370 and it continues to threaten lives.

371 The severity of these issues show the weaknesses in our
372 drinking water infrastructure and how important it is for our
373 drinking water systems to be more resilient to extreme weather
374 and climate change.

375 Drinking water infrastructure has been a priority for this

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376 subcommittee this year and an issue that we have worked on
377 together, and several of the provisions included in the
378 committee's bipartisan drinking water bill could have helped
379 water systems prepare for these storms.

380 But I think we are learning that we need to do even more and
381 that we need to provide more resources to these affected areas,
382 and I hope that we can continue to work together in a bipartisan
383 manner to address the concerns we hear about today.

384 Superfund sites also pose serious risks when natural
385 disasters strike. Several of these dangerous sites were damaged
386 during this hurricane season and we are still struggling to
387 understand the health impacts of that damage.

388 An extreme -- as extreme weather events become more frequent,
389 it is even more important that we clean up Superfund sites quickly
390 and thoroughly.

391 With greater funding for Superfund cleanups we might have
392 avoided some of the damage we have seen and, again, I hope my
393 Republican colleagues will join me in working to address this
394 issue as well.

395 And these hurricanes have also led to significant air
396 pollution with real public health impacts. In Texas, we saw an
397 accidental release of benzene at the Valero refinery and a

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398 dangerous series of chemical fires at the Arkema plant.

399 In Puerto Rico and the Virgin Islands, we continue to see
400 dangerously high air emissions from diesel generators which could
401 worsen dramatically as debris management efforts being in
402 earnest.

403 And if we can't get the power turned back on soon, if we can't
404 get safe drinking water out to our citizens, more Americans are
405 going to die. This is a humanitarian crisis and we must do
406 everything we can to fix it.

407 As Congress prepares the next emergency spending bill, we
408 need to consider all these environmental concerns and do what is
409 necessary to protect human health and the public welfare.

410 We can and should be doing more to increase access to safe
411 drinking water, to secure and remediate Superfund sites, and to
412 limit air pollution.

413 So I just want to thank the witnesses who traveled here today
414 from Texas, Puerto Rico, from the Virgin Islands and from Georgia,
415 and, Mr. Chairman, I look forward to hearing from you. I don't
416 know if any of our Democratic members want the time.

417 If not, I will yield back.

418 Mr. Shimkus. Gentleman yields back his time.

419 We want to thank all our witnesses for being here today and

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420 taking the time to testify before the subcommittee.

421 Today's witnesses will have an opportunity to give an opening
422 statement followed by a round of questions from the members. Of
423 course, your full statements are going to be submitted for the
424 record.

425 Our first witness panel for today's hearing will include Mr.
426 Peter Lopez, Regional Administration, Region 2, Environmental
427 Protection Agency; Mr. Trey Glenn, Regional Administrator, Region
428 4, of the Environmental Protection Agency; Mr. Sam Coleman, Acting
429 Regional Administrator, Region 6, Environmental Protection
430 Agency; and Dr. Brian Shaw, chairman of the Texas Department of
431 Environmental Quality.

432 And with that, we will turn first to Mr. Lopez. You have
433 five minutes, sir.

434 Welcome.

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435 STATEMENTS OF PETER LOPEZ, REGIONAL ADMINISTRATOR, U.S.
436 ENVIRONMENTAL PROTECTION AGENCY, REGION 2; TREY GLENN, REGIONAL
437 ADMINISTRATOR, U.S. ENVIRONMENTAL PROTECTION AGENCY, REGION 4;
438 SAM COLEMAN, ACTING REGIONAL ADMINISTRATOR, U.S. ENVIRONMENTAL
439 PROTECTION AGENCY, REGION 6; DR. BRYAN SHAW, CHAIRMAN, TEXAS
440 DEPARTMENT OF ENVIRONMENTAL QUALITY

441

442 STATEMENT OF MR. LOPEZ

443 Mr. Lopez. Thank you, Chairman Shimkus and Chairman Walden,
444 Ranking Members Tonko and Pallone, and fellow Energy and Commerce
445 Committee members.

446 I am Pete Lopez. I am the regional administrator for Region
447 2, which includes all of New York, New Jersey, the Virgin Islands,
448 and eight federally recognized Indian nations.

449 It is a privilege to join you today on this important
450 conversation and my testimony today, please understand, is a
451 snapshot of what's happening as a result of Hurricanes Irma and
452 Maria.

453 Please understand that we are very much in an emergency
454 response mode and that the testimony we offer today is subject
455 to change on a daily basis. So we are doing our best here.

456 Just to preface, in my years as a member of the state

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457 legislature, I was intensely involved in a response very similar
458 to what's happened in the Caribbean.

459 So in upstate New York in 2011, we were ravaged by Hurricane
460 Irene and Tropical Storm Lee. Mr. Tonko and I were partners there
461 working on this issue.

462 In this instance, my parents were homeless. My family was
463 homeless. We had eight feet of water in my village. A similar
464 situation with infrastructure, communications, power grids. The
465 socioeconomic conditions very much the same.

466 If you understand New York geography, northern Appalachia.
467 So what we found -- and this is a critical issue for the committee
468 and for the administration -- is that the more disadvantaged the
469 community, the more painful and slow the recovery.

470 So I just -- I can't understate that message and I just wanted
471 to bring it to the committee's conscious thought.

472 Recently, I had a chance to travel to Puerto Rico and it was
473 with my colleague, Deputy McCabe, who is with me today, and I was
474 struck by the incredible destruction, and I have to tell you that
475 the sights, the sounds, the smells were all too familiar.

476 And as with Irene and Lee, I also have family on the islands
477 in the Arecibo and Camuy area. Lopez family corderos are there
478 as well and we are very concerned about their safety.

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479 The focus of the trip was not just to be on the ground but
480 to connect. We met with leaders. We met with leaders of the
481 territories and the Commonwealth, local officials, and our main
482 goal was to connect with them, to identify problems and issues
483 and really help them problem solve.

484 So we are very committed and I have to say the experience
485 was both sobering but also galvanizing. I found that my
486 colleagues on the ground are very passionate about the work they
487 are doing and treat individuals as subjects, not objects. We are
488 concerned about individual families, communities, and the
489 integrity of the entire population.

490 As was noted by some of the introductory remarks, a major
491 challenges remains with the power grid and here, as you can
492 imagine, virtually everything relies on electricity.

493 So whether it is pollution controls at Superfund sites,
494 drinking water and wastewater system operation, all of those
495 things are challenged.

496 Our response has been working with FEMA and Army Corps to
497 place strategically-placed generators at key locations. The
498 challenge, of course, that it provides an alternate power source
499 but the reliability in the long term is at risk here.

500 So they require fuel and even the generators themselves are

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501 subject to mechanical failure. So as we try to run around the
502 island we are challenged with the electricity issue.

503 Just want to say in their defense for both FEMA and Army
504 Corps, their job is unprecedented, and I don't want to draw too
505 much of a parallel to Europe after World War II where we talk about
506 the Marshall Plan and off script a little, but the challenges on
507 the island are unique.

508 So in defense of our colleagues with FEMA and Army Corps,
509 their job is extraordinary.

510 EPA has about 325 employees and contractors on the ground
511 and in the Virgin Islands. We hope to have that number increased
512 to about 400 in December.

513 In your testimony you'll see greater detail on the status
514 of power plants -- excuse me, drinking water facilities, hazardous
515 waste facilities, wastewater treatment, Superfund sites,
516 hazardous debris, comingled debris, and sunken vessels. You'll
517 see all that in front of you in your testimony.

518 Just as a quick note, we made great progress. We still face
519 a number of changes -- challenges. The power -- outside of the
520 power we have been dealing with waste -- medical waste that has
521 been building up due to logistical limitations.

522 Many roads are still impassable and, as you know, weather

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523 conditions have further compromised with mudslides and flooding.
524 That includes area flooding, chronic flooding, as well as
525 destruction to other property.

526 So accessibility on the island is an ongoing challenge.
527 Humanitarian aid -- we have stepped out of our comfort zone and
528 where we are the first responders we are bringing additional
529 humanitarian aid with our staff as we go into the mountainous
530 terrain.

531 So looking to the future, quickly, we know there are unique
532 challenges. The issue of backup power, we heard reference to what
533 do we do for the future. Having backup power and supplies on the
534 island is critical.

535 Positioning those supplies in key areas, particularly with
536 storms advancing, would be very helpful. And, again, we know
537 there are opportunities for improvement always but we welcome the
538 committee's engagement and thank you for this opportunity to be
539 here with you.

540 Thank you so much, Chairman.

541 [The prepared statement of Mr. Lopez follows:]

542

543 *****INSERT 1*****

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544 Mr. Shimkus. Gentleman's time has expired.

545 And let me for -- just for the record ask the regional
546 administrators to state where the headquarters is and remind our
547 colleagues what states that they represent. We did this in the
548 Energy Sub and I think that is just helpful to keep that all in
549 perspective.

550 So with that, so Mr. Lopez, what are the states and,
551 obviously, protectorates that you cover?

552 Mr. Lopez. Yes, Chairman.

553 So New Jersey, New York, Puerto Rico, Virgin Islands, and
554 eight recognized Indian nations -- tribes and we are headquartered
555 at -- in Broadway, New York City -- 290 Broadway.

556 Mr. Shimkus. So let me now turn to Mr. Glenn, Region 4
557 administrator.

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STATEMENT OF MR. GLENN

Mr. Glenn. Good morning. Mr. Chairman and esteemed members of this committee, I am Trey Glenn, regional administrator for EPA Region 4, which comprises eight southeastern states.

That is Alabama, Florida, Georgia, Mississippi, Tennessee, North Carolina, South Carolina, and Kentucky, and we also have six federally-recognized tribes.

Thank you for the opportunity to appear before you today to discuss the impacts of Hurricane Irma and EPA's response and recovery efforts and to continue the productive discussion that we had last month with the subcommittee.

I have been on the job a little over two months now and I can honestly say that I am in awe of the caliber and expertise and dedication of the regional staff.

These environmental professionals work each day to meet EPA's mission of protecting human health and the environment and this commitment was demonstrated consistently throughout the EPA's response to the devastating hurricanes we experienced this past season.

The 2017 hurricane season was indeed unprecedented in the number and intensity of major storms that impacted the United

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580 States and the U.S. territories. The damage from these
581 hurricanes is still being assessed. The recovery will continue
582 for the foreseeable future.

583 EPA Region 4 is fully engaged in a number of response and
584 recovery activities and we are working in close coordination with
585 our federal, state, local, and tribal partners as well as
586 businesses and local communities.

587 The core of our emergency response program in Region 4
588 consists of 28 on-the-scene coordinators and 57 additional staff
589 within a response support corps.

590 Prior to landfall of these storms, I personally reached out
591 to the environmental directors of the four states that were in
592 the potential path of this storm to inform them of Region 4's
593 ability to assist if needed.

594 We also reached out to our tribal partners that might be
595 impacted by the storm and Florida was the only state that requested
596 EPA assistance relative to Hurricane Irma.

597 We deployed our Region 4 on-scene coordinator to provide
598 direct coordination and planning support to the state. We also
599 provided a liaison to the FEMA regional response coordination
600 center and deployed EPA regional senior leaders to south Florida
601 and myself to Tallahassee.

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602 We worked closely with EPA headquarters to issue fuel waivers
603 and no-action assurances to assist in not only the preparation
604 but also the response activities for these great storms.

605 We positioned 12 field hazard assessment teams for
606 deployment when and where needed. These teams were deployed at
607 Florida's request to provide oil and hazardous substance response
608 support. We further provided support to the state for orphan
609 container assessment and recovery, vessel pollution response and
610 mitigation, and debris management technical support.

611 Region 4 also assisted with water and wastewater system
612 technical support. We coordinated with the state to monitor the
613 status of more than 1,600 community drinking water systems and
614 over 2,000 wastewater systems.

615 Concurrently, Florida also requested assistance in
616 contacting small noncommunity drinking water systems such as
617 schools and restaurants and the water division completed over
618 1,200 call-down assessments of those facilities.

619 Our hazardous assessment team performed field assessments
620 at more than 200 chemical and oil storage facilities identified
621 as priorities.

622 We conducted reconnaissance for pollution incidents and
623 orphan containers and there were no significant storm-related

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624 hazardous substance or oil pollution incidents in Region 4.

625 We also assisted with orphan container and vessel recovery
626 in the Florida Keys and deployed personnel to provide support to
627 the state and assessment of disaster debris management sites.

628 Our operation in the Florida Keys continues as we speak. We
629 have collected more than 700 orphan containers that are stored
630 in a secure staging area for waste characterization and recycling
631 or disposal.

632 Our EPA team has recovered oil and hazardous materials for
633 more than 65 sunken or grounded vessels and moved these craft to
634 land-based staging areas where they were transferred to the
635 custody of the Florida Fish & Wildlife Commission.

636 Prior to landfall, we assessed vulnerabilities at all
637 Superfund sites in Florida. We also deployed six teams to conduct
638 boots-on-the-ground assessments of all national priority list
639 sites and as a further measure we also deployed teams to assess
640 these NPL sites in Alabama, Georgia, and South Carolina, and all
641 we found is that sites experienced very little impact from
642 Hurricane Irma.

643 Post-landfall we worked with our state partners to ascertain
644 the status of oil storage facilities required to maintain facility
645 response plans as well as chemical facilities required to maintain

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646 risk management plans.

647 Overall, there were very minimal reports of oil and hazardous
648 substance spills that could be attributed to the storm and only
649 one of the RMP facilities contacted reported a hazardous substance
650 release, the source of which was very quickly mitigated.

651 Moving forward, we continue to meet mission assignments
652 under the response phase and have initiated recovery with FEMA
653 and other federal partners under the national disaster recovery
654 framework, and under this framework EPA supports federal partners
655 primarily on community planning and capacity building,
656 infrastructure systems and recovery and natural and cultural
657 resources.

658 We are excited to have the opportunity to work with our
659 federal, state, tribal, and local partners on this very innovative
660 initiative.

661 Again, I thank you for the opportunity to be here and share
662 with you what I consider to be a great example of cooperative
663 federalism to assure and restore public safety and recovery from
664 disaster.

665 I look forward to answering your questions that you have.

666 [The prepared statement of Mr. Glenn follows:]

667

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*****INSERT 2*****

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669 Mr. Shimkus. The gentleman yields back his time.

670 The chair now recognizes Mr. Sam Coleman, acting regional
671 administrator of Region 6.

672 Sir, you are recognized.

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673 STATEMENT OF MR. COLEMAN

674

675 Mr. Coleman. Good morning, Mr. Chairman and fellow
676 committee members. I am Sam Coleman, acting regional
677 administrator for EPA Region 6, which covers Texas, New Mexico,
678 Oklahoma, Arkansas, Louisiana, and their 66 federally-recognized
679 tribes. We are headquartered in Dallas, Texas in downtown.

680 Thank you for the privilege of joining you here today for
681 this very important conversation. I am here to speak directly
682 about EPA's response to the devastating impacts of Hurricane
683 Harvey in Region 6 and our associated response activities.

684 As we have seen in the past three months, every disaster
685 presents unique challenges. Hurricane Harvey hit Corpus Christi
686 as a category four hurricane, then lingered over the Texas Gulf
687 Coast, dropping more than 50 inches of rain in Harris and the
688 surrounding counties, and this impacted over 7 million people.

689 EPA worked with Texas and local officials to assess more than
690 2,200 drinking water systems and more the 1,700 wastewater
691 systems.

692 We retrieved over 950 loose containers and, according to
693 FEMA, we worked with the state to make sure that over 20 million
694 cubic yards so far of debris has been properly disposed of.

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695 At one point, the Texas commissioner of environmental
696 quality had over 500 people working on the response and EPA had
697 over 250 people assisting the state in those response activities.

698 One of the most noteworthy aspects of the response to
699 Hurricane Harvey was the positive and collaborative relationship
700 between EPA and the state of Texas.

701 Because we worked very closely with the state agencies and
702 the governor's office, our collective strength of our efforts were
703 greater than the sum.

704 By augmenting state resources where needed and providing
705 some specialized monitoring capabilities, together we were able
706 to address many challenges prevented by Hurricane Harvey in a
707 timely manner.

708 After my 29 years of working at EPA and experiencing events
709 following Hurricane Katrina and the Deepwater Horizon oil spill,
710 I have learned a few key lessons regarding the response activities
711 to assure success.

712 I am going to go over a few of those. First is exercises
713 -- our federal agency's plan for such catastrophic events by
714 conducting exercises to prepare. It is very apparent that these
715 practices lead us to discover our weaknesses and to have time to
716 correct those efficiencies before the real emergency occurs.

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717 It is difficult to prepare for such an event as devastating
718 as Hurricane Harvey. However, the state of Texas was as well
719 prepared as I've seen and integrations of our organizations was
720 exceptional.

721 Second is prior coordination. Because EPA has open
722 communication and a longstanding cooperative relationship with
723 our state counterparts and other emergency response agencies, it
724 clears the path for success that benefits the citizens that are
725 impacted by a disaster.

726 When a storm is imminent, EPA begins the coordination efforts
727 before landfall. As soon as the storm passes, we have teams that
728 are standing by to begin the assessment of drinking water and
729 wastewater systems to begin evaluating the environmental
730 integrity of impacted businesses, to begin investigating citizen
731 complaints, and to respond to any reported spills or other damaged
732 areas as well as sharing key information with the public.

733 Next is the experienced staff. An effective response
734 infrastructure includes experienced first responders who are able
735 to address unforeseen circumstances both swiftly and effectively.

736 Staff development during the preplanning time is of grave
737 importance and should not be underestimated. Experienced
738 responders are the first boots on the ground and they provide the

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739 most efficient assistance to communities.

740 And then, finally, is having the right equipment. EPA
741 employed assets during Hurricane Harvey response to assist the
742 responders that were not available elsewhere. EPA often responds
743 to reports of environmental impacts from air emissions or from
744 other plumes that may be dangerous to a community.

745 In response to these complaints and odors and fumes during
746 Hurricane Harvey, EPA deployed a TAGA bus. TAGA stands for the
747 trace atmospheric gas analyzer.

748 This is a mobile pollution detection vehicle that is able
749 to provide air quality results quickly by collecting constant
750 real-time data of outdoor air quality.

751 The TAGA bus monitored ambient air in the vicinity of
752 approximately 25 facilities and adjacent neighborhoods and during
753 that time they covered over 640 miles going back and forth in those
754 communities.

755 The results of this we were able to detect actionable
756 emissions to work -- then to work with those affected facilities
757 and to work with the state to make sure that they were properly
758 addressed.

759 There was also widespread coverage of the fires at the Arkema
760 facility in Crosby, Texas. That facility housed volatile

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761 chemicals that required refrigeration to prevent them from
762 self-igniting.

763 When the facility lost power, the conditions deteriorated
764 at the facility, which required an evacuation of the facility and
765 surrounding areas. Ultimately, there was a series of fires that
766 were spontaneous combustion from those materials stored at the
767 site.

768 EPA used the ASPECT aircraft for air sampling above the
769 facility and in the nearby surrounding areas. ASPECT stands for
770 the airborne spectral photometric environmental collection
771 technology.

772 And I know that is a mouthful but, basically, it is an
773 airplane that EPA rents that is packed full of EPA-owned
774 monitoring equipment so that we can look into the plume to
775 determine if there are harmful levels of chemicals or if there
776 is any danger either downwind or in the communities surrounding
777 the plant.

778 The ASPECT flew 28 flights over 112 hours -- 28 flights and
779 over 112 hours, covering miles of pipeline. We looked at 134 risk
780 management facilities and 456 drinking water plants and also 105
781 wastewater facilities in support of the Hurricane Harvey
782 response.

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783 The data was invaluable and assessed the risk quickly in
784 responding appropriately to the emergency and the technology was
785 not available through any other parties involved.

786 The third asset that we used was a mobile laboratory called
787 PHILIS. PHILIS stands for the portable high through-put
788 integrated laboratory identification system.

789 The PHILIS lab is a mobile laboratory that we deployed in
790 Houston that allowed us to get 48-hour turnaround on volatile and
791 semi-volatile samples.

792 This allowed us to quickly assess the conditions at all of
793 the Superfund sites and also any other samples that we needed a
794 quick turnaround.

795 If EPA did not have access to these tools, our response and
796 the dissemination of information to the public would not have been
797 as informative and robust. I believe that these EPA assets are
798 critical to effective preparedness and response.

799 EPA remains activated as an agency continues to respond to
800 Hurricanes Maria and Irma. The agency taps resources from our
801 sister regions during these times of great need.

802 I have seen the agency continue to grow in our capabilities,
803 learn from each response and apply lessons learned as we face new
804 challenges.

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805 We are able to make more data available to the public. For
806 example, we use story boards as we presented this information to
807 the public so that they could understand what each sample meant
808 and how it impacted them personally.

809 EPA will continue to develop more methods and improve our
810 responses by working with our state, local, and other federal
811 agency partners.

812 While the response has its own unique challenges, we want
813 to remain flexible to address the individual needs. I am very
814 proud of the EPA and the other responders when called to duty in
815 these times of great need.

816 I am happy to answer any questions about the great work we've
817 done and look forward to continuing to serve.

818 Thank you.

819 [The prepared statement of Mr. Coleman follows:]

820

821 *****INSERT 3*****

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822 Mr. Shimkus. Thank you.

823 Now, last but not least is Dr. Shaw, chairman of the Texas
824 Department of Environmental Quality. You have five minutes, sir.

825 Welcome.

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826 STATEMENT OF MR. SHAW

827

828 Mr. Shaw. Good morning. Thank you, Chairman Shimkus,
829 Chairman Walden, and Ranking Member Tonko and members of the
830 committee. It is a pleasure to be here.

831 For the record, my name is Bryan Shaw. I am the chairman
832 of the Texas Commission on Environmental Quality and I am happy
833 to discuss our response in recovery efforts related to Hurricane
834 Harvey.

835 First, my agency's primary mission is to protect the public
836 health and natural resources by ensuring that the air and water
837 and waste are clean and disposed of safely.

838 This is a critical part of what we work to is fulfilling that
839 mission in the aftermath of a disaster such as Hurricane Harvey.

840 While we recognize the many challenges that we face and the
841 severity of the -- of the storm that we had, the key to making
842 the response as successful as it was you have heard demonstrated
843 through the cooperative nature that we have experienced both with
844 our federal allies as well as other state and federal agencies
845 in responding to the hurricane.

846 As was mentioned by Mr. Coleman, TCEQ deployed about 500
847 people dedicated to the Hurricane Harvey response. The 250 or

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848 so folks that worked from EPA to work hand in hand with us were
849 critical to addressing one of the major issues we face and that
850 is communication.

851 At the time that the storm rolls through it is very
852 challenging to have the adequate communication and get
853 information in a timely manner because, quite frankly, the local
854 elected officials aren't always as prepared for a hurricane as
855 we might want them to be because typically they are spaced out
856 far enough that this is, in most cases, their first experience
857 at dealing with a hurricane and when you have one of this magnitude
858 it becomes even more critical in having a cooperative relationship
859 between the state and federal agencies that respond.

860 It is critical both to providing that information as well
861 as reassuring those local officials where help is and help is on
862 the way.

863 This cooperation, I think, clearly demonstrates how well
864 state and federal agencies can work together. We tend to work
865 very well with EPA in previous natural disaster response but never
866 better than we worked in this response and I think considering
867 the unprecedented nature of the severity of the storm and, quite
868 frankly, the fact that this storm sort of parked over Texas and
869 dumped rain continually, it is -- if you look at the tragic losses

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870 we had but in hindsight considering the severity of the storm,
871 the state fared very well and that is attributable to the prior
872 planning, it is attributable to the cooperative relationship we
873 had amongst our different state agencies and, quite frankly, it
874 is attributable to the resiliency and the good neighbors that we
875 have in our state of Texas that we are blessed with that come to
876 the aid of their -- of their neighbor in time of crisis.

877 I think this fits very well into the Cooperative Federalism
878 2.0 effort that is underway and I think that is -- I applaud this
879 committee for looking at finding ways to be able to ensure that
880 the state and federal agencies are working together.

881 The Environmental Council of the States has a process
882 underway called Cooperative Federalism 2.0 which is trying to
883 incentivize and encourage us moving to that relationship that was
884 demonstrated, and so I am very much encouraged by that.

885 I will talk briefly because I know we were running short on
886 time from the standpoint of my allocated time but I want to touch
887 on some of the issues that are ongoing.

888 Obviously, debris management is one of those issues that
889 continues to be a challenge. This is often what I refer to as
890 the slow tragedy associated with an event like this.

891 You see some of that initially when you see the debris from

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892 what is taken out through wind, the tornadoes associated with a
893 hurricane, as well as the surge -- the storm surge.

894 But oftentimes the flood damage you don't see initially
895 because those houses seem to be unaffected until you start seeing
896 the residents return back and removing the debris from inside of
897 the houses, getting the drywall out, moving it to the curbs and
898 to the temporary sites.

899 And so it is critical that we move quickly to be able to help
900 that happen because having those materials remain indoors leads
901 to mold and other types of biological contamination that can be
902 poor for health as well as making it very difficult for communities
903 to rebuild.

904 We move it quickly to the curb but you need to move it from
905 there quickly because you have vector issues -- mice, rats, other
906 things -- that can be there -- mosquitoes breeding. And so we
907 want to make sure that we have that process moving along.

908 And then from the temporary site getting it into a landfill
909 and making sure that we are providing for ultimately,
910 environmental and health protections become very critical.

911 We are working probably most of our time at this point dealing
912 with the ongoing tragedies and needs related to disposing of
913 debris, working to quickly identify the temporary sites, ensure

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914 that we are working with those local officials not just to make
915 sure that all the bureaucratic I's are dotted and T's are crossed
916 but in making sure that we are both safe, protective, and ensuring
917 that we don't have issues that will prevent them from getting
918 reimbursement from those recovery efforts because those
919 communities have already been hard hit from the loss of their tax
920 base, their houses, and their businesses. And so we work very
921 diligently to ensure that moves quickly.

922 So we are continuing to have success there but we will
923 continue to have those calls that come as judges and mayors realize
924 that the removal process is too slow and we work and continue to
925 provide resources to help them both from a technical standpoint
926 as well as, when we can, providing physical labor and the expertise
927 on the ground.

928 Air monitoring -- we have heard some discussion from Mr.
929 Coleman so I won't go into a lot of detail other than to point
930 out that we have a plan in place, our -- I call it our common sense
931 approach where we make sure that prior to a storm's landfall we
932 take down equipment that is going to likely be damaged or destroyed
933 in a hurricane and then very quickly bring it back up.

934 That takes some time, especially when, in many cases, we had
935 to wait until we had power restored to an area to be able to get

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936 air monitors in place.

937 We relied very heavily on our federal partners to be able
938 to do sampling as we had case by case needs as well as deploying
939 monitors that we could bring in to assess plumes and other issues
940 associated with potential emissions from facilities.

941 I will quickly wrap with drinking water, wastewater issues.
942 As was mentioned, we had a couple thousand drinking water systems
943 that were in the path of the storm. We still have two of those
944 that are inoperable. They are small systems and arrangements
945 have been made to allow for them to have water brought in so those
946 residents are getting their needs served.

947 But we still have 24 systems that are under boil water notice,
948 some of that because of damage to the system and some of that
949 because, frankly, they're still adjusting to the source water
950 changes associated with the storm.

951 Wastewater and sewage, we still have three of those systems
952 that are inoperable compared to the 40 at the height of the
953 process. So it does take a good bit of time.

954 I will close with talking about our hazmat, and we do work
955 cooperatively but we take the lead with regard to identifying
956 containers that may be washed away or moved away during the storm.

957 And to date, we've had about almost 1,200 of those containers

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958 that have been located and properly disposed of as well as dealing
959 with the spills associated with the storm.

960 So you can see that there is a broad range of issues that
961 have to be addressed and working cooperatively allows us the best
962 chance of being most responsive to our citizens.

963 And with that, I will thank you for the opportunity to visit
964 with you about this issue. We do have many resources available
965 on our website and I am happy to provide those web links as needed.
966 Those are very helpful both in informing the public as well as
967 elected officials about resources that are available to them.

968 I am happy to answer questions. Thank you, sir.

969 [The prepared statement of Mr. Shaw follows:]

970

971 *****INSERT 4*****

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972 Mr. Shimkus. The gentleman's time is expired.

973 And before I start with the opening question, I want to
974 recognize Jenniffer Gonzalez, the resident commissioner from
975 Puerto Rico.

976 She's here at a good time to hear the opening statements but
977 also, as I go to my first round of questioning, the first one is
978 going to go to Mr. Lopez.

979 So I recognize myself for five minutes for questions. Mr.
980 Lopez, there have been a number of press reports about people who
981 are without clean drinking water, drinking from a well on a
982 Superfund site in Dorado, Puerto Rico.

983 Can you explain the situation there and whether it has been
984 resolved?

985 Mr. Lopez. Certainly, Chairman, and thank you for that
986 question.

987 So, again, of course, there was a lot of attention to early
988 concerns of the individuals drinking from the wells. Those
989 reports were incorrect.

990 So, in essence, there has been some understandable confusion
991 with the way the infrastructure is designed and operable in that
992 area.

993 So wells in question are sealed. They are not accessible.

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994 Water has been made accessible through spigots at those well sites
995 that are part of the super aquifer tied to process infrastructure.

996 When we first learned about the concern, our first response,
997 of course, was humanitarian and we brought bottled water and had
998 Army Corps bring water buffaloes to the sites because the main
999 concern was we want to protect human health and safety, take them
1000 away from sites where we had any question, and make sure people
1001 had potable water.

1002 From there we engaged in immediate sampling and from the
1003 results of the sampling we found chlorine residual from those
1004 spigots. Certainly, wells are not prone to have chlorine in them
1005 inherently and so our initial deduction was that that was treated
1006 water.

1007 We have gone forward to do additional sampling and are doing
1008 full spectrum analysis. Thus far, our results reaffirm and
1009 process also reaffirm that along with the Department of Health
1010 from Puerto Rico that that is part of process water supply. They
1011 are not from the contaminated wells.

1012 Mr. Shimkus. Are there any other places on the island where
1013 this issue may be an issue?

1014 Mr. Lopez. Not to our knowledge and, again, the concern --
1015 and just to highlight, Chairman, the concern with the Superfund

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1016 site -- and this is part of the challenges -- Superfund site
1017 doesn't mean that every water source within the designated area
1018 is in question.

1019 What it means in this case with the Dorado site we identified
1020 a target area -- we, at EPA -- just to monitor. So where sites
1021 were known to have contamination those sites have been locked
1022 down. Other sites we continue to test -- I say we, the Puerto
1023 Rico Department of Health -- PRASA -- on a regular basis to make
1024 sure that those supplies remain potable and within Safe Drinking
1025 Water Act thresholds.

1026 Mr. Shimkus. Was the Puerto Rican water utility the entity
1027 distributing water at the Dorado site?

1028 Mr. Lopez. The Puerto Rico Well Authority -- PRASA -- was
1029 not literally distributing the water. The areas in question were
1030 fenced and signed. There are spigots there and the sites were
1031 entered into and PRASA was not knowingly willingly distributing.

1032 But we -- again, our main concern there was to make sure that
1033 the water was safe and that is why we brought temporary water until
1034 we could ascertain the status of the true supply.

1035 Mr. Shimkus. So in your written statement, Mr. Lopez, when
1036 you -- in your written testimony you note that 20 of the 115
1037 drinking water plants are out of -- out of service. What is --

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1038 what are you doing to remedy the situation about people not having
1039 access to potable water in Puerto Rico?

1040 Mr. Lopez. Well, our challenge, of course, Chairman, is we
1041 assess. So we determine where there are deficiencies, whether
1042 it be collapse of trunk sewers, whether power be out, and then
1043 we work with Army Corps, which is mission assigned to work with
1044 PRASA to make the repairs.

1045 So funding is provided through the Stafford Act to help make
1046 necessary improvements. We continue to help provide advisories
1047 to the population and, again, we are working with our partners
1048 to make necessary repairs as quickly as possible.

1049 Mr. Shimkus. Let me, in my last minute and a half, turn to
1050 Mr. Shaw, or Dr. Shaw. My sister-in-law move out of Houston right
1051 before the storm.

1052 But she has a lot of friends back there and she visited over
1053 the weekend and it raises the point about waste management that
1054 you were referring to.

1055 On her return she showed a picture of her friend's house.
1056 About two and a half to three feet of drywall had been ripped out.
1057 I mean, still, the house will be -- take a year probably or I don't
1058 know how long to get it. But so that -- so when we see storm
1059 damage, which we have in tornado season, you see the initial pile

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1060 of refuse on the streets. But then over time you're going to see
1061 the refuse from being torn out. They're probably going to be in
1062 dumpsters and they're going to be hauled someplace.

1063 So the question is, is there sufficient land -- landfill
1064 capacity with this hurricane debris?

1065 Mr. Shaw. The answer -- the short answer is yes. And you
1066 are right, part of that process is moving from the house to the
1067 curb. Usually there is about three passes of removing from the
1068 curb as well. So it is sort of a cyclical process.

1069 We looked at it very closely and initially estimates were
1070 quite high what the debris might be.

1071 The issue is we have enough capacity in those landfills in
1072 the areas. The real challenges have been twofold. One, does it
1073 reduce the length of life of that landfill, which is obvious.

1074 The second part of that is sometimes those landfills, because
1075 they build them out in cells, they may not have a cell that is
1076 built out ready to receive all that debris, and so in some cases
1077 they may have to exceed their permitted height and we have a
1078 process whereby they can apply to make that happen on an emergency
1079 basis.

1080 What will happen is following the passing of the storm they
1081 will either have to come in and remove that extra cap or they will

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1082 have to go through a permit amendment to get approval to leave
1083 that landfill at a height that was higher than was permitted and
1084 then they can build out another cell, if you will, and move that
1085 waste or at least begin taking new waste.

1086 Mr. Shimkus. I am way over my time and I thank you for the
1087 answer.

1088 The chair now recognizes the ranking member, Mr. Tonko, for
1089 five minutes.

1090 Mr. Tonko. Thank you, Mr. Chair.

1091 Administrator Lopez, as I mentioned earlier, the committee
1092 has heard alarming reports of people without access to safe
1093 drinking water in Puerto Rico and the United States Virgin
1094 Islands, and I heard the exchange with the chair here just moments
1095 ago.

1096 Let's get a little deeper into the drinking water and
1097 wastewater system issue. Many remain inoperable. Can you help
1098 us understand what are the sources of those problems of
1099 inoperation?

1100 Mr. Lopez. Much of the problem lies with damaged sewer --
1101 excuse me, water mains. We have damaged distribution lines.
1102 Power is a considerable issue.

1103 We, again, are working on generators but those generators

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1104 do not always remain operable. So access is an issue. We have
1105 had plants that, because of mudslides or rain, river action, we
1106 have had them -- access to them denied.

1107 So at this point, 85 percent of the PRASA system users have
1108 water and PRASA represents about 97 percent of all the water supply
1109 to the island.

1110 There are additional water supply sources -- non-PRASA
1111 systems, very small sources. There are very -- there are about
1112 237 independent water treatment systems throughout the mountains.

1113 We are working with mission assignment, with nongovernmental
1114 operations to do work there. In some of those cases we are, again,
1115 trying to get those systems back and running. But power, in some
1116 case physical damage, in some case access. We also have debris
1117 issues. In some case, intakes are clogged with debris and that
1118 has been a challenge for some of our operators.

1119 Mr. Tonko. And just what percent or whatever expression we
1120 can get from you is concerning electricity failure?

1121 Mr. Lopez. Oh, my gosh, I have -- I have some detail. So
1122 I can go through -- I have -- I have a number. I will just run
1123 through -- I have a list. Arecibo alternate power unit out of
1124 service. Esperanza, alternate power service out of Muñiz. We
1125 have quite a few. Most of it is power units.

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1126 We do have waterline pipes broken. We do have some cases
1127 of water supply -- raw water supply clogged. But much of it is
1128 power and, again, we are using generators and other means to try
1129 to activate those systems. Some systems were flooded and they
1130 had to be reassessed even before power could be fully restored.

1131 Mr. Tonko. And you had mentioned the infrastructure
1132 failure. What about source water contamination as an issue? Is
1133 that --

1134 Mr. Lopez. We are -- of course, we are very concerned about
1135 it and I used a phrase Ms. Colon would understand, agua es vida
1136 -- water is life.

1137 So whether it be water for drinking, water for bathing, water
1138 for washing your clothes, water for any purpose, we are all very
1139 concerned.

1140 We have been -- in terms of the contamination of water our
1141 role has been, first, direct resources to restore water and
1142 systems to be operable. That's the main goal.

1143 With individual homes and families we are working with the
1144 CDC, Puerto Rico Department of Health, and others to provide
1145 advisories. So boiled water advisories are in effect, have been
1146 in effect.

1147 We are also warning people to be -- to avoid using these

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1148 supplies for potable purposes. We have worked with the CDC to
1149 provide alternate disinfection where possible -- chlorine tablets
1150 and other alternate disinfection. So we are taking --

1151 Mr. Tonko. Oh, go ahead.

1152 Mr. Lopez. As broadly as we can we are trying to respond.
1153 But the challenge is we can't control individual human behavior
1154 and people need water. So our main goal is get water to them as
1155 quickly as we can -- potable.

1156 Mr. Tonko. Peter, you had mentioned PRASA and with those
1157 independent systems -- those beyond PRASA -- are they continuing
1158 to struggle to provide safe drinking water?

1159 Mr. Lopez. They are. We are working with them and, again,
1160 it is case by case. Just mind you that a number of the systems
1161 are mountainous and access to them continues to be an issue.

1162 So we are working on assignment to get to them. But at this
1163 point, we had -- we have assessed -- bear with me a second. Just
1164 going to pull up my notes here on non-PRASA. There are 237
1165 independent community systems and we have assessed them all. But
1166 getting them all operational is a challenge.

1167 Mr. Tonko. And of those 237, which are operating?

1168 Mr. Lopez. Let me -- bear with me just a second. About 170
1169 of the 237 are operational.

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1170 Mr. Tonko. Okay. Thank you.

1171 And is EPA testing water quality at small water systems?

1172 Mr. Lopez. We do. Well, the Department of Health -- let
1173 me say this -- the Department of Health for Puerto Rico is the
1174 authority. So our sampling is really not something we do as a
1175 norm.

1176 We did sample in the Dorado case where there were concerns
1177 about drinking from contaminated wells and there we wanted to do
1178 rear guard action for the Puerto Rico Department of Health.

1179 But Puerto Rico Department of Health maintains primacy with
1180 those -- with those sites.

1181 Mr. Tonko. Thank you.

1182 Mr. Chair, I yield back.

1183 Mr. Shimkus. Gentleman yields back his time.

1184 Chair now recognizes the gentleman -- the chairman of the
1185 full committee, Mr. Walden, for five minutes.

1186 The Chairman. And I thank the chairman and I thank, again,
1187 our witnesses for your testimony on all these issues our citizens
1188 face.

1189 I know, Mr. Lopez, you've talked a lot about the drinking
1190 water and we know when the power goes off the pumps don't run and
1191 purification doesn't work unless you get generators and all that.

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1192 But I would like to move beyond that and ask about the ability
1193 to clean up Superfund sites. How is that being impacted along
1194 the way here?

1195 Mr. Lopez. So, Chairman, the Superfund sites were assessed
1196 -- they have been assessed routinely. They were assessed before
1197 the storm events -- Irma. They were assessed after Irma. They
1198 have been assessed after Maria.

1199 And much of those sites really are groundwater
1200 contamination. So they were not really moved by the storm. The
1201 issue for the storm and where there was damage were in terms of
1202 fencing and also pump and treat systems, which required power.

1203 So in those cases, we worked to restore those functions.
1204 That's what we've been working to do and the -- in terms of damage
1205 --

1206 The Chairman. How --

1207 Mr. Lopez. I am sorry, sir.

1208 The Chairman. How far along are you on that -- the Superfund
1209 site protection?

1210 Mr. Lopez. To my -- to my knowledge, that is -- things are
1211 locked down.

1212 The Chairman. Okay.

1213 Mr. Lopez. So if we've seen additional concerns -- for

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1214 example, we found an orphan container that was removed -- but we
1215 are to lock those sites down, Chairman.

1216 The Chairman. Mm-hmm. All right. Is that true for the
1217 other sites, too? I mean, are we talking about issues in Houston
1218 or Florida? Are there any Superfund issues we need to be aware
1219 of?

1220 Mr. Coleman. With regards to Texas, there were 34 federal
1221 Superfund sites in the state of Texas. We have done the
1222 assessment of all. There was one site that we listed, the San
1223 Jacinto Waste Pits site, that did require some additional
1224 follow-up.

1225 We have been working with the responsible parties. They
1226 have plans in place to both do repairs to that site and then there
1227 is some additional repairs on the river side of the site where
1228 there was scouring that the PRPs are in the process of placing
1229 some additional rock to stabilize that portion of the site. That
1230 is ongoing.

1231 The Chairman. All right.

1232 Mr. Shaw. And I would just add there is -- I believe there
1233 are 17 state Superfund sites and at those we worked very closely
1234 with EPA on both the federal and the state and secured the sites.

1235 All those sites we're finding there was a release potentially

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1236 from one that was a sheen that we saw on water and that has been
1237 dealt with. So but no offsite concerns at this point.
1238 Everything is locked down.

1239 The Chairman. So can you call give us assurance then that
1240 when it comes to the issue of Superfund sites we are not
1241 contamination into drinking water, that these sites are secured
1242 best they can be, that you've got this under control?

1243 Mr. Shaw. Yes, sir.

1244 Mr. Coleman. Yes, sir.

1245 Mr. Glenn. Yes, sir.

1246 Mr. Lopez. Yes, sir.

1247 The Chairman. Perfect. That's good news. I think that
1248 had a lot of us worried, including, I am sure, all of you. You
1249 know, that is the most dangerous things we face.

1250 Beyond that, you know, as we -- as we keep hearing about the
1251 power going on and going off in Puerto Rico and we knew they had
1252 a bad grid to begin with, what should we be worried about here?

1253 What can we do to help here on that issue of power and how
1254 much of this is really the responsibility of the grid owner and
1255 the power provider in Puerto Rico?

1256 Mr. Lopez. Well, Chairman, again, I think part of the
1257 challenge is, as I mentioned in the my testimony, the system itself

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1258 is old.

1259 The Chairman. Right.

1260 Mr. Lopez. And we heard testimony from Army Corps with the
1261 infrastructure -- Transportation Infrastructure Committee
1262 suggesting that their average age of power plants are much younger
1263 than Puerto Rico's.

1264 So we are dealing with a system that was old and challenged
1265 to begin with and I think part of our goal is, one, how do we put
1266 power back on but the long-term and --

1267 The Chairman. Keep it on.

1268 Mr. Lopez. -- and for Señora Colon [Speaking foreign
1269 language] -- my family has that name as well -- how do we make
1270 sure that it is sustainable and survivable for future events. So
1271 that is an open question.

1272 The Chairman. And from what you have seen on the ground,
1273 again, on Puerto Rico or the Virgin Islands especially, are there
1274 -- are there enough crews? Are the various agencies
1275 communicating well with each other?

1276 Are there gaps in that communication we should be aware of?
1277 It is always hard in these situations, I know, but --

1278 Mr. Lopez. So, Chairman, we work under a command and control
1279 function. We work with our incident commanders. There's very

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1280 close communication with FEMA, Army Corps, our other partners.

1281 Our regions have been providing support where we signal. We
1282 have been very thankful to my colleagues here for their staff
1283 support as well.

1284 I would say that the communications are strong. The
1285 challenge is making sure that we can get the resources when we
1286 need them.

1287 The other challenge which we have been working at is also
1288 making sure that we are working with the local authorities and
1289 respecting their process -- their decision making capability, and
1290 that is -- that means in some cases we have to put things in front
1291 of them and give them time, recognizing -- and this is the
1292 challenge for those in the situation -- if you have been in a storm
1293 event and you are under constant duress, we are rotating crews
1294 in and out routinely --

1295 The Chairman. They are there --

1296 Mr. Lopez. -- they are working under constant duress. So
1297 part of our challenge is helping support their decision making
1298 and give them time and support they need so they can be at peace
1299 with mission objectives and corrective action.

1300 The Chairman. Okay. Did you have something you wanted to
1301 -- no? Okay.

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1302 My time has expired. Mr. Chairman, thank you all for the
1303 great work you and your teams and the teams from all the agencies
1304 are doing the best they can in these circumstances and we
1305 appreciate that.

1306 But, again, we want to know if there is a problem that you
1307 need help on or they need help on, and I know that our resident
1308 commissioner has been terrific at bringing us all up to speed and
1309 keeping us up to speed.

1310 So with that, Mr. Chairman, I yield back.

1311 Mr. Shimkus. Gentleman's time has expired.

1312 The chair now recognizes the ranking member of the full
1313 committee, Mr. Pallone, for five minutes.

1314 Mr. Pallone. Thank you, Mr. Chairman.

1315 Five years ago, Superstorm Sandy caused major damage to my
1316 congressional district including Superfund sites and water
1317 treatment facilities and we have seen even more of that with the
1318 latest hurricanes.

1319 So I would like to focus briefly on the importance of
1320 investing and making our environmental infrastructure more
1321 resilient.

1322 In the aftermath of Sandy, I saw the importance of this
1323 firsthand when the storm badly damaged the Bay Shore Regional

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1324 Sewage Authority, which treats the wastewater from a number of
1325 the towns in my district, and the authority completed a \$28 million
1326 project to rebuild the plant and make it more resilient to future
1327 storms.

1328 But I don't think we should have to wait for disasters to
1329 make our infrastructure more resilient. So let me ask Mr. Lopez,
1330 what can EPA do to help communities in Puerto Rico and the Virgin
1331 Islands improve their drinking water and wastewater
1332 infrastructure to make it more resilient?

1333 Mr. Lopez. Thank you. Thank you, Chairman.

1334 So part of the challenge is, again, part of it is the time
1335 we are in. Under the Stafford Act, we are in response. So this
1336 is an emergency. So it is my understanding that Stafford Act
1337 funding means you build in kind -- you replace in kind.

1338 So the issue is, and this goes back to you as our partner
1339 and our colleagues here, where do we signal programmatic and
1340 funding flexibility to allow other sorts of investment.

1341 Now, just as an example, with the nongovernmental allies that
1342 we have had with the nonprocess sites, we have been able to put
1343 solar systems in a few isolated incidents.

1344 Mr. Pallone. All right.

1345 Well, let me ask you this. Do you think that we need to

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1346 invest more federal dollars though in environmental
1347 infrastructure in general as part of this recovery or is it just
1348 your concern that we are not focusing on long term?

1349 Mr. Lopez. So I am a little bit above my pay grade,
1350 Congressman, but bear with me. So I am going to speak from the
1351 heart.

1352 So, effectively, it is a function of targeting dollars --
1353 making sure dollars are reachable and also ensuring that the broad
1354 purposes can be served.

1355 So, again, we have many various funding streams. It is not
1356 generally one funding stream, like my colleague, Mr. Cochran
1357 knows.

1358 Mr. Pallone. Okay.

1359 Mr. Lopez. So to answer your question, I think part of our
1360 challenge here would be to look at funding streams, look at
1361 resources, ensure that we have maximum flexibility in their use.
1362 Part of this --

1363 Mr. Pallone. Okay. And particularly the emphasis on
1364 looking at long-term rather than just short-term to fix things.

1365 All right. I am just rushing through because I wanted to
1366 ask a question about the Superfund, too. As you know, Hurricane
1367 Harvey damaged a lot of Superfund sites in Texas including one

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1368 site where hazardous dioxins were exposed and I think we should
1369 be doing more to limit the impact of severe weather on Superfund
1370 sites.

1371 So let me ask Mr. Coleman. You only briefly mentioned
1372 Superfund. But is it -- it is a priority, I think, for a lot of
1373 communities. Do you agree that more resources for Superfund
1374 cleanups would mean few contaminated sites vulnerable to extreme
1375 weather?

1376 Mr. Coleman. So the site in Texas that you mentioned -- the
1377 San Jacinto Waste Pits site, is a site that is under EPA oversight
1378 but there are accountable responsible parties who are both
1379 responsible for the day to day security of the site as well as
1380 --

1381 Mr. Pallone. But my question is do you agree that more
1382 resources for Superfund cleanup would mean fewer contaminated
1383 sites vulnerable to extreme weather? You can just say yes or no.
1384 I mean, I just want to know if you think money or resources would
1385 make a difference.

1386 Mr. Coleman. Well, we are working with the funds that are
1387 appropriated to make sure that those sites that require federal
1388 funding are cleaned up as expeditiously as possible.

1389 Mr. Pallone. All right. All right.

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1390 Let me go back to Mr. Lopez. We heard troubling reports out
1391 of Puerto Rico, citizens drawing drinking water from a well on
1392 an unsecured Superfund site. What more could EPA do to protect
1393 public health from exposures to toxic sites after severe weather
1394 strikes?

1395 Mr. Lopez. So, Chairman, as I was mentioning to your
1396 colleagues, the contamination in the groundwater was really not
1397 affected by the storms, to our knowledge.

1398 The issue was making sure that the mitigation methods that
1399 were in place were functioning as intended -- fencing, pump and
1400 treat seat systems.

1401 The -- in Dorado, the wells in question were not accessible.
1402 Power supplies had been disabled. There was no ability to pull
1403 water from the wells. So the source of water, again, was from
1404 the -- from PRASA, from the public --

1405 Mr. Pallone. Do you think that we could do more to protect
1406 -- could EPA do more to protect public health from exposure to
1407 toxic sites after severe weather strikes or, again, this is just
1408 simply fixing damage?

1409 I mean, the concern I have is, again, what you said -- that
1410 maybe we are just simply fixing damaged fences, blocking access
1411 to these sites. I mean, this goes back maybe to what you were

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1412 saying before. But just --

1413 Mr. Lopez. So at those sites the wells were not accessible
1414 of for public access, again, the groundwater contamination was
1415 there before the storm and remains and that is something we
1416 continue to work on.

1417 So our challenge is to mitigate -- again, track any plumes,
1418 for example, in the Dorado site. We are tracking a plume so we
1419 test water supplies. We test -- vigilance is really the issue
1420 here.

1421 We remain vigilant and we certainly understand the
1422 importance of making sure that we are staying within Safe Drinking
1423 Water Act standards, keeping people under those threshold with
1424 their water supply.

1425 Mr. Pallone. All right.

1426 Mr. Lopez. So monitoring, continue testing -- those are --
1427 and then mitigation remain the tools available to us.

1428 Mr. Pallone. All right. Thanks a lot.

1429 Mr. Shimkus. Gentleman's time expired.

1430 The chair now recognizes the vice chairman of the
1431 subcommittee, Mr. McKinley, for five minutes.

1432 Mr. McKinley. Thank you, Mr. Chairman, and thank you again
1433 for having this hearing on this.

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1434 Let me skip from Region 2, 4, and 6 and move to Region 3 out
1435 of Philadelphia. There's an area that -- the flooding that had
1436 taken place the hurricanes had an impact not only in Texas and
1437 Florida and Louisiana, along the coast, but it had a demonstrative
1438 effect in north central West Virginia, in eastern Ohio, northern
1439 West Virginia, western Maryland, western Pennsylvania in the
1440 streams.

1441 The water that -- the amount of water that came down during
1442 that period of time we washed out -- our streams were full of
1443 debris, full of items that should have been dredged, and as a
1444 result we had water lines lost, exposed.

1445 We had septic systems that were destroyed. We had water
1446 pumping stations that went down because of this. So I am just
1447 curious -- and we had loss of life in north central West Virginia
1448 as a result of this.

1449 So it is not just happening with hurricanes in the coastal
1450 areas that we are talking about -- the ravaging that took place.
1451 It has had an effect on the central part of this country as well.

1452 So my question, when they try to get the dredging of these
1453 streams so that they can mitigate the potential loss, often we
1454 are hearing from the region -- the EPA is they won't give permits.

1455 They go through an extended permitting period. Either that,

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1456 or FEMA steps in the way or an environmental group steps in the
1457 way.

1458 So if we are going to mitigate the potential loss and the
1459 environmental impact, what would you suggest that we do in other
1460 areas to clean up our streams if the EPA continues to stand in
1461 the way of dredging? Any one of you?

1462 Mr. Lopez. Yes. Yes, sir, I can help with that and, again,
1463 it is funny how life brings you -- moves you forward.

1464 So with Irene and Lee in northern Appalachia -- again, we
1465 are just north of you. I had Southern Tier. I had the
1466 Susquehanna River Valley. We had the Catskill region.

1467 To answer your question, part of our challenge is, is as we
1468 get into these streams we have to be very careful because any
1469 impact upstream can have an impact downstream.

1470 In my home community, the urgent response was to just dig
1471 into streams and we wound up channelizing our streams. Water
1472 began flowing faster and destabilizing the stream banks and
1473 emergency evacuation routes were compromised.

1474 Short story is as we get in, we are working with NRCS, others
1475 -- DEC and New York State -- to try to look at it from a watershed
1476 basis.

1477 Some of it means restoring flood plains. Some of it means

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1478 restoring the natural flow of the streams. Getting in to clear
1479 debris can be an ongoing mission but we also have to recognize
1480 that we have to give room for streams almost like a living organism
1481 to get rid of energy and to have a place --

1482 Mr. McKinley. I understand.

1483 Mr. Lopez. So --

1484 Mr. McKinley. But the EPA and FEMA are standing in the way
1485 of permitting to do that. We have got to -- we had -- at
1486 Follansbee, West Virginia, they have had a -- their stream is eight
1487 feet of gravel and sand have built up in that so as a result of
1488 this they had no capability of absorbing the amount of water that
1489 came down and homes were washed out as a results of this.

1490 Mr. Lopez. So -- so --

1491 Mr. McKinley. So I am saying --

1492 Mr. Lopez. You know, Chairman, respectively, I have Region
1493 2 so I am your neighbor in New York, in particular, similar
1494 topography.

1495 I can only tell you that the partnership there has been with
1496 the state agent. DEC has been the agent in charge. EPA has
1497 worked --

1498 Mr. McKinley. The state keeps blaming the federal
1499 government. What -- where are we supposed to get through this

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1500 so that we can mitigate the potential loss?

1501 We can eliminate a lot of these damages and the environmental
1502 impact if we could clean our streams out. But they -- other people
1503 keep blaming Region 3.

1504 Is there something you can suggest? Is it happening in other
1505 areas that you're seeing a more successful relationship to dredge
1506 these --

1507 Mr. Lopez. Congressman, if I may, what I'd like to do with
1508 your permission is take your information back to our headquarters
1509 --

1510 Mr. McKinley. Please.

1511 Mr. Lopez. -- see if we could research this issue for you.

1512 Mr. McKinley. Please. The other has to do also when Rick
1513 Perry say said that hitting a Category 4 which had such devastating
1514 effect on the petrochemical industry and has been suggesting that
1515 we build a secondary facility in Appalachia with a ethane storage
1516 facility in the north central eastern Ohio and western
1517 Pennsylvania. As a result, maybe we wouldn't have such loss of
1518 product if we had something other.

1519 So I really appreciate the fact that the commissioner and
1520 Pruitt all are working together to try to find a secondary source
1521 on this -- a supply.

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1522 I think it would eliminate some problem because we know that
1523 when that hit -- Hurricane Harvey hit, out of the 23 cracker
1524 facilities in the -- in the Houston area 17 went down.

1525 So as a result, it had that ripple effect all across the
1526 country that people couldn't get resident supplies and companies
1527 had to reduce their workforce as a result of it.

1528 So I am hoping that we can continue to learn from this problem
1529 that has occurred and how we can have a secondary source, and we
1530 are not going to have both environmental impact and economic
1531 impact.

1532 I yield back.

1533 Mr. Shimkus. Gentleman's time has expired.

1534 The chair now recognizes the gentleman from California, Mr.
1535 Peters, for five minutes.

1536 Mr. Peters. Thank you, Mr. Chairman, and thanks to the
1537 witnesses for being here.

1538 You know, I think -- I spend a lot of time when I see these
1539 awful disasters come they -- they, obviously, cause a lot of
1540 dislocation and tragedy.

1541 They also cost us a ton of money at the federal government
1542 for cleanup, and I think a lot about what you might have learned
1543 as part of the cleanup that you might advise us to invest in ahead

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1544 of time.

1545 So what are the things that maybe you've observed that you
1546 think, boy, if the federal government had invested in this
1547 beforehand we would have saved a lot of money in the long run.

1548 Anything in general that you gentleman saw? Maybe Dr. Shaw?

1549 Mr. Shaw. Yes. Thank you.

1550 Certainly, that is part of what we -- we have an ongoing
1551 process of trying to do the lessons learned and to that end we
1552 are in our second week of our after action review to learn the
1553 right lessons from this.

1554 Part of what I think addresses your question is the fact that
1555 we have -- the governor has put together a commission to rebuild
1556 Texas and part of what we are looking at there is identifying what
1557 are those resilience issues, opportunities, and needs both to
1558 build back infrastructure but also what do you do -- what is that
1559 next step you would do if you had additional funds or funds --

1560 Mr. Peters. Anything in particular in mind right now?

1561 Mr. Shaw. There are things like several -- sometimes it is
1562 a reservoir -- excuse me, a retention systems. We have dykes and
1563 levy systems that have been proposed and often are waiting on
1564 funding.

1565 Mr. Peters. Okay.

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1566 Mr. Shaw. And so there are projects that had been approved
1567 and are just waiting on funding that would help to mitigate some
1568 of those flood issues.

1569 So those sorts of things are obvious and so we are trying
1570 to put together a better holistic package of what it looks like
1571 statewide but especially in the Hurricane Harvey impacted area.

1572 Mr. Peters. That seems wise to me.

1573 Before I leave you, Dr. Shaw, have you had -- we have had
1574 a lot of -- we have had issues with massive sewer spills that have
1575 flowed and come from Tijuana up into San Diego, which I represent.

1576 I wanted to see if you've had any experience in dealing with
1577 clean water and health issues with the CDC or FDA in connection
1578 with the issues you face in Texas.

1579 Mr. Shaw. Not specifically.

1580 Mr. Peters. How has that been?

1581 Mr. Shaw. Not specifically CDC and FDA. We partner,
1582 obviously, with EPA very closely on our -- on our water quality
1583 issues but I've not had experiences with CDC and FDA on those
1584 issues.

1585 Mr. Peters. Okay.

1586 Maybe, Mr. Lopez, if you had any general responses to that
1587 question about Puerto Rico. I had a specific one, but any general

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1588 thoughts about what resiliency the federal government might be
1589 involved in building in so that we don't face the quantity of
1590 destruction that we saw this time next the wastewater --

1591 Mr. Lopez. Thank you, Congressman.

1592 And, again, we mentioned a little bit about flexibility with
1593 funding to ensure that as rebuild occurs or as we move forward,
1594 because recognize that once we leave the response mode we head
1595 into recovery and that is going to be a very long conversation.

1596 And for any of my colleagues here we know that that is not
1597 just months. That may be years, and that may include additional
1598 rebuilding, reinvestment, flexibility of funding.

1599 The other thing that I was discussing with my colleague --
1600 my deputy, Ms. McCabe -- is the issue of, in that case, having
1601 resources available or prepositioned, having --

1602 Mr. Peters. Right.

1603 Mr. Lopez. -- because of -- because of their isolation
1604 having resources prepositioned would be very helpful.

1605 Mr. Peters. Let me go back a step, because you are still
1606 -- I think you are still -- you are still framing the response
1607 issue. Let me just --

1608 Mr. Lopez. We are very raw there. Yes, sir.

1609 Mr. Peters. -- give you an example of something that I just

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1610 read about, which is Tesla restoring power to the Children's
1611 Hospital in Puerto Rico with a solar and storage project.

1612 Now, it seems to me, I know -- I think that Puerto Rico burns
1613 bunker fuel, which is a logistical issue. You've got to get that
1614 -- you got to get there and, obviously, it speaks to the age of
1615 the power plant.

1616 You have got -- I mean, I am sure you had a grid issues that
1617 are affected by the wind. But it does seem to me -- what I noticed
1618 in Puerto Rico was after the storms stopped, the sun was shining,
1619 and had there been distributed energy through solar -- smart solar
1620 investments, things like hospitals would be up online ahead of
1621 time.

1622 I would certainly suggest that that is something we ought
1623 to be thinking about in these island places which are so isolated
1624 you can't just send a truck of bunker fuel out there.

1625 Had we invested in solar in some of these facilities,
1626 particular the -- around the critical infrastructure like
1627 hospitals -- the Children's Hospital -- ahead of time, I think,
1628 you know, a lot of these people wouldn't -- wouldn't have been
1629 affected in the same tragic ways.

1630 I guess -- maybe I will turn to Mr. Glenn and Mr. Coleman.
1631 Do you have any sort of lessons learned in terms of pre-disaster

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1632 investments we might be considering right now so that next time

1633 this happens we won't be so on our heels?

1634 Mr. Glenn. Well, I am fairly new to the federal government.

1635 I have been here two months --

1636 Mr. Peters. Welcome.

1637 Mr. Glenn. -- and prior to that in the private sector.

1638 Thank you. I am enjoying it. Here is what --

1639 Mr. Peters. I enjoy it sometimes.

1640 [Laughter.]

1641 Mr. Glenn. Here is what I walked in and observed literally

1642 day one on this was the communications interaction and

1643 relationships that we had with our peers at the state level and

1644 at the local level as well.

1645 So the one lesson I learned was we cannot do enough

1646 coordination with our state and local and tribal partners to make

1647 sure that we know what their systems are, we know who the people

1648 are and we train together and work together so that we can respond

1649 to this and that is the huge takeaway I had from this for the --

1650 relative to the impacts in our region.

1651 Mr. Peters. Thank you.

1652 Mr. Coleman, my time is expired but maybe someone else will

1653 as you the question.

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1654 Thank you. I yield back.

1655 Mr. Shimkus. Gentleman yields back his time.

1656 The chair now recognizes the gentleman from Houston, Texas,
1657 Mr. Olson, for five minutes.

1658 Mr. Olson. I thank the chair.

1659 I would like to start out with a point of personal privilege.
1660 Yesterday we found out that --

1661 Mr. Shimkus. Not again.

1662 Mr. Olson. -- found out that a fellow Texan -- this is good.
1663 Not good but sad. A fellow Texan, Gene Green, announced this will
1664 be his last term in Congress.

1665 He is a dear friend, a great Texan. We will miss you, but
1666 thank you for your service, my friend.

1667 Welcome to our four witnesses. A special Texas Aggie howdy
1668 to Chairman Shaw, and my question will be for you, Chairman Shaw
1669 and you, Mr. Coleman.

1670 First of all, could both of you talk about the sorts of
1671 hazards you saw in the Houston area and all of the area impacted
1672 by Harvey after Harvey left?

1673 I know, for example, we had some pretty foul water that
1674 threatened with bacterial infections and we had debris piles that
1675 were magnets -- as mentioned, snakes, rates, other animals.

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1676 In fact, a young girl who lives in Texas 22 in Sienna
1677 Plantation was out working in Wharton, was bit by a copperhead
1678 snake in a pile of wet soaked clothes. So my question is do we
1679 know anything about how to respond to these threats with Harvey
1680 or was it just a larger scale of what you know you have to deal
1681 with when a storm hits like Harvey did?

1682 Mr. Shaw. Thank you, Congressman.

1683 Certainly, with regard to this event, it is -- a lot of the
1684 issues you see are common to a flood event but uncommon from this
1685 nature of the magnitude and the breadth of the impacted area.

1686 So with regard to flood waters, anytime we have floodwaters
1687 that are going to inundate wastewater treatment plants you are
1688 going to have bacterial contamination and that is why our response
1689 cooperatively with the EPA was to provide information about how
1690 to deal with contamination from flood water.

1691 With regard to the debris, certainly the magnitude of the
1692 debris is a challenge and it is exacerbated because of the fact
1693 that you have waste haulers, for example, that may have contracts
1694 up and down the coast and when you have -- the impacted area is
1695 up and down the coast you don't have enough resources there
1696 potentially to respond in a timely manner and it is just, you know,
1697 30-plus million cubic yards of debris is an awful lot of debris

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1698 to deal with.

1699 Mr. Coleman. And I would just say that during a natural
1700 disaster or any type of disaster there are many, many hazards.
1701 Our goal really is to inform the public very quickly of how they
1702 can best protect themselves while they are also trying to restore
1703 and recover their own property.

1704 With regards to flood waters, we really advise people to
1705 minimize their exposure because the waters are contaminated and
1706 there are many hazards associated with that.

1707 You mentioned some of the other things. People have to
1708 really wear protective equipment and be completely vigilant as
1709 they work on their individual property to restore that. I meant,
1710 that is very, very important and we work closely with our state
1711 and local partners to make sure that that information is put into
1712 the hands of every individual so that they understand what they
1713 have to deal with.

1714 Mr. Olson. You mentioned the constant threats out there.
1715 For example, a first responder in Missouri City had a flesh-eating
1716 virus. Somehow, it got into his -- he had a little small cut
1717 probably from working through a debris field and got exposed to
1718 that virus. So thank you, thank you for getting ahead of the
1719 curve.

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1720 And you guys mentioned, I think -- if I quote you correctly,
1721 Mr. Coleman, you said the coordination between you and Dr. Shaw
1722 was, quote, "exceptional," and I think it was on the ground and
1723 that is what -- that is my opinion as well.

1724 But I have concern. You said you prepared for that with
1725 exercise after exercise with TCEQ. How do you do that with a storm
1726 like Harvey, a big storm like that, and also how about with three
1727 storms?

1728 You have Irma and Marie hit at that same time. Can you
1729 coordinate with different regions as opposed to TCEQ? I mean,
1730 boy, that is a big challenge, isn't it?

1731 Mr. Coleman. Yes, sir. It is a big challenge. We work
1732 very closely. There is an annual hurricane exercise that the
1733 state organizes that involves EPA, the Corps of Engineers, other
1734 state agencies as well where we really go through the game planning
1735 as to who does what making sure we have all of the proper contact
1736 information, everybody knows what their lane is, and what
1737 capabilities that they bring to the table.

1738 So we participate in that. We also work on a daily basis
1739 to deal with much smaller incidents with the state so that our
1740 staff and their staff know each other well and they work seamlessly
1741 together to respond to these incidents.

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1742 Mr. Olson. Dr. Shaw, you want to add something to that?

1743 Mr. Shaw. Yes. I would -- I would say that we actually --
1744 in one of those exercises we had the foresight to mock up a response
1745 to a Category 3 hurricane making landfall in Corpus Christi.

1746 Harvey was a 4, making landfall just north of Corpus Christi,
1747 but it points out the fact and the way I usually characterize the
1748 importance of these exercises is we need to make sure that whenever
1749 we show up for the real thing we are not making introductions to
1750 our colleagues and counterparts in other agencies.

1751 We already know who they are. We know them by face and by
1752 name, and so those exercises are priceless so that we can hit the
1753 ground running, not having to make introductions to try to figure
1754 out a game plan.

1755 We already have the game plan. We've already practiced it.
1756 We begin implementation.

1757 Mr. Olson. Thank you. Mr. Chairman, I noticed my time has
1758 expired and I will close by saying at 9:54 this morning all four
1759 witnesses confirm they are happy my Houston Astros won the World
1760 Series title.

1761 I yield back.

1762 Mr. Shimkus. I hadn't heard that before so thanks for
1763 letting us know that.

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1764 The chair now recognizes Mr. Green for five minutes.

1765 Mr. Green. Well, I am proud of the Astros, too. But I want
1766 to thank our panel for being here and thank the chair and the
1767 ranking member for holding the hearing today on Hurricanes Harvey,
1768 Irma, and Maria.

1769 I also want to thank our panelists -- for the panel,
1770 particularly Administrator Coleman and Dr. Shaw, and I know the
1771 partnership that you've had between our regional office of EPA
1772 and the state has been -- even when I was in the legislature years
1773 ago.

1774 And I want to thank the EPA for the decision last month after
1775 our new administrator viewed the site to remove the cancer-causing
1776 dioxins out of the San Jacinto Waste Pits, and that is both on
1777 the north side of Interstate 10 and the south side of Interstate
1778 10. And it is an important issue in east Harris County.

1779 I have represented it off and on over the years, first as
1780 a state senator and then in Congress and I shared it with Ted Poe.
1781 Now I share it with Congressman Brian Babin.

1782 So we need to fully remove the contaminated soil and
1783 accelerate it with the recovery -- discovery of the damage and
1784 the temporary cap during Hurricane Harvey.

1785 Administrator Coleman, what is the time line for EPA to begin

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1786 the removal of the contaminated material from the San Jacinto
1787 Waste Pits?

1788 Mr. Coleman. Thank you, Mr. Green, for that question.

1789 So, as you know, we've issued the recommended decision in
1790 October. We are working with both the Justice Department and the
1791 responsible parties on this special notice and negotiating a
1792 consent decree that will facilitate the specific design and then
1793 removal.

1794 Specifically, we expect the negotiations to take six to 12
1795 months in working with the responsible parties. The design
1796 activities can take as long as another six to 12 months and then
1797 the work will start.

1798 So I can't give you a specific time frame because those
1799 negotiations are complex and do involve a number of issues that
1800 we have to work through with them.

1801 So but that is generally what we expect to see.

1802 Mr. Green. Okay. Well, I would hope you would provide
1803 information and EPA has been doing it to the constituents out there
1804 for, like I said, mostly Congressman Babin now. But I sure have
1805 a lot of people who go out and crab and fish right near those sites
1806 and I would -- we'd like to make sure they're not, well, consuming
1807 that but also to make it much more safer.

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1808 And so the process will take almost a year, and I understand
1809 the difference because the temporary cap is about a \$20 billion
1810 and then the permanent cap or the permanent removal is anywhere
1811 -- the latest estimate, I think, from EPA was almost \$120 billion.

1812 Mr. Coleman. That is correct -- \$115 million to \$120
1813 million.

1814 Mr. Green. And so I expect the responsible parties have the
1815 option of going to the courthouse and making that decision. But
1816 I understood the original report from the regional office to the
1817 national office was really strong opinion on what needed to be
1818 done.

1819 Our district also includes -- and this is in our district
1820 and has been forever, it seems like -- the U.S. oil recovery in
1821 Pasadena, Texas, it is actually on a -- near a bayou in Texas.
1822 Pete's gone but it is Vince Bayou coming through Pasadena and into
1823 the Houston ship channel or Buffalo Bayou. And many members of
1824 the public and local media voiced concern about that toxic
1825 material mitigating into the Vince Bayou.

1826 Was there any information from that site that it -- did any
1827 of that site bleed into the -- into Vince Bayou and ultimately
1828 Buffalo Bayou and the Houston ship channel?

1829 Mr. Coleman. Again, thank you for that question.

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1830 As you know, the U.S. oil site consists of two nearly adjacent
1831 locations but they are separated by a road and they are different
1832 in elevation.

1833 So the former city of Pasadena wastewater treatment plant
1834 was flooded and because of the nature of what they did there, which
1835 was treat wastewater, we do recognize that there were probably
1836 some releases of things that were at that site. But we also know
1837 that they never stored hazardous waste or recycled oil on that
1838 portion of the site.

1839 The second portion of the site, which is located at a higher
1840 elevation, where they did process oils to recover, that site
1841 actually did not flood.

1842 It did, of course, sustain over 50 inches of rainfall. So
1843 some of the buildings which are in somewhat disrepair there was
1844 rainfall that entered the buildings.

1845 There was some -- we would call it storm water runoff that
1846 occurred and we did assess Vince's Bayou. We looked very closely
1847 at the receding waters and collected samples. We did not see that
1848 anything significant left that upper portion where the waste oil
1849 was processed.

1850 So we feel confident that Vince Bayou only received some
1851 runoff from that lower area that was the former Pasadena

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1852 wastewater treatment plant.

1853 Mr. Green. Okay. Is there a viable --

1854 Mr. Shimkus. Quickly, please.

1855 Mr. Green. -- or responsible party for the U.S. oil site?

1856 Mr. Coleman. Yes, sir. We are working with the responsible
1857 parties. They say a group of investors who are actually working
1858 to both maintain stabilization of the site as well as working with
1859 us on a more thorough investigation and, ultimately, a cleanup
1860 of that site.

1861 Mr. Green. Thank you, Mr. Chairman.

1862 Mr. Shimkus. Gentleman's time has expired.

1863 The chair now recognizes the gentleman from Ohio, Mr.
1864 Johnson, for five minutes.

1865 Mr. Johnson. Thank you, Mr. Chairman, and gentlemen, thank
1866 you for joining us today.

1867 Mr. Lopez, prior to the hurricanes hitting Puerto Rico this
1868 season, most people would have characterized the municipal solid
1869 waste landfills as a mess even on a good day, with 19 of the 29
1870 landfills operating out of compliance with federal law.

1871 So what's the status of the landfills in the -- in the wake
1872 of the hurricanes today?

1873 Mr. Lopez. So the landfill status, of course, as you

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1874 mentioned, we had challenges and continue to be challenges on the
1875 island.

1876 Debris management, which is really the response, is a
1877 complicated undertaking. So there is pressure, of course, to put
1878 more material into the landfills.

1879 But what we are attempting to do, working with Army Corps
1880 and our partners, is to separate the waste streams and dispose
1881 of them in a fashion that relieves pressure on the landfills.

1882 So whether it be vegetative debris or hazardous medical waste
1883 -- any number of elements that could wind up in a landfill -- we
1884 are working aggressively to separate out and dispose of, working
1885 with the authorities in a proper fashion.

1886 Mr. Johnson. So are they still a mess?

1887 Mr. Lopez. So a landfill situation that existed prior to
1888 the hurricane remains --

1889 Mr. Johnson. No. No. What are -- what's the status today?

1890 Mr. Lopez. So the landfills continue to operate as they did
1891 before. There has been no change in that.

1892 Our challenge -- incident challenge is handling the debris,
1893 keeping the landfills functioning but also handling the debris
1894 which could accumulate in the landfills if not properly
1895 intercepted.

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1896 Mr. Johnson. Do you -- do you think that Puerto Rico should
1897 keep its delegation authority under Subtitle D?

1898 Mr. Lopez. Ultimately, the -- and, again, we -- this will
1899 be a longer-term conversation, Congressman. So our challenge
1900 will be to help support the local authorities. I feel that that
1901 is the appropriate thing to do.

1902 We want to support them, give them capability, help provide
1903 resources where we can and also address other ways other than
1904 landfilling to address their solid waste.

1905 But recognize that that is not EPA's function as a -- as a
1906 role. We don't usually do solid waste management. We defer to
1907 the local government authorities for the actual management of
1908 solid waste.

1909 Mr. Johnson. Is it -- is it fair to say that current debris
1910 removal since the hurricanes -- current debris removal is going
1911 to further overload the already filled capacity in those
1912 landfills?

1913 Mr. Lopez. We are working to intercept it. There is a
1914 danger -- there is always a possibility. But we are working very
1915 aggressively and thoughtfully with the leadership to identify
1916 waste streams and properly provide siting to separate them out
1917 and mitigate them appropriately. So there is always a potential

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1918 but we are working to minimize the impact.

1919 Mr. Johnson. Okay.

1920 Mr. Coleman, in your testimony you write that while each
1921 response has its own unique challenges, we remain flexible to
1922 address individual needs.

1923 So as you indicated, things like geographical constraints,
1924 economic conditions, damage extent, and infrastructure
1925 vulnerabilities are all factors that shape federal agency
1926 response when a natural disaster strikes.

1927 In other words, how we respond to Houston's challenges is
1928 clearly different than those of Puerto Rico's challenges. So how
1929 does the EPA currently ensure response efforts take these
1930 challenges and regional characteristics into consideration?

1931 Mr. Coleman. So we work -- we have a national cadre of
1932 responders that work very closely together on training and that
1933 forms the baseline of how we respond.

1934 As I mentioned, we have a set of technical assets -- the
1935 ASPECT, TAGA, PHILIS -- that also provide that specialized
1936 equipment. But then we work very closely with our state partners
1937 in each location as well as those other state agencies that we
1938 work with with our FEMA regional offices, with things called
1939 regional response teams that then do additional specialized

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1940 training and facilitation as it relates to the specific incidents
1941 that may occur in different geographic areas.

1942 So those multiple layers of training exercises, having the
1943 right equipment, allows us to then be adaptable and flexible in
1944 responding to all types of different disasters and events.

1945 Mr. Johnson. Okay. Is there room for improvement?

1946 Mr. Coleman. I believe that there's always room for
1947 improvement and, as Chairman Shaw indicated, the state does a
1948 after-action report. We do -- we are doing a similar exercise.
1949 We participate with the state side.

1950 But we also have them participate and critique our work so
1951 that we can make improvements and we do that after each event and
1952 we memorialize those lessons learned so that as we incorporate
1953 that into our training going forward we are able to make those
1954 improvements.

1955 Mr. Johnson. Okay. All right.

1956 Thank you, Mr. Chairman. I yield back.

1957 Mr. Shimkus. Gentleman's time has expired.

1958 The chair now recognizes Dr. Ruiz from California for five
1959 minutes.

1960 Mr. Ruiz. Thank you, Mr. Chairman.

1961 I want to throw out a compliment to my colleague from Ohio

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1962 who just asked those questions. Those are very good questions,
1963 very insightful. Thank you for asking those questions.

1964 I want to continue on that line in terms of coordination and
1965 some local flexibility problems that I saw when I went to Puerto
1966 Rico myself that was an unscripted visit.

1967 I went on my own accord and I visited a lot of locations
1968 impromptu so I can get the real story and not the script that folks
1969 would like to give you, and I had great assistance when I was on
1970 the ground as well.

1971 And by way of background, I am an emergency medicine
1972 physician trained in public health and also trained in
1973 humanitarian disaster response from the Harvard Humanitarian
1974 Initiative and other locations.

1975 We talked about coordination. Let me just ask an open-ended
1976 question. Mr. Lopez, who is running the show in Puerto Rico? Who
1977 is -- who is really in charge?

1978 Mr. Lopez. So, understandably, we are under a command and
1979 control structure, as we mentioned. Again, FEMA makes the
1980 mission assignments.

1981 Mr. Ruiz. Okay.

1982 Mr. Lopez. So mission assignments are handed out by FEMA.

1983 Mr. Ruiz. So you would say FEMA is in charge?

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1984 Mr. Lopez. Through our command and control structure.

1985 Mr. Ruiz. Yes.

1986 Mr. Lopez. That -- that is -- again, as we interact we take
1987 mission assignments from FEMA --

1988 Mr. Ruiz. Okay.

1989 Mr. Lopez. -- and we work with our headquarters in our
1990 regional offices for support.

1991 Mr. Ruiz. Okay. And how are you coordinated? Where --
1992 like, how does that information get down to the EPA folks that
1993 are in the field?

1994 Mr. Lopez. So we have a command and control structure and
1995 in our region we have an incident coordinator.

1996 Mr. Ruiz. Yes, and where is that incident coordinator
1997 located?

1998 Mr. Lopez. He is in Edison, New Jersey. We also have staff
1999 --

2000 Mr. Ruiz. In New Jersey.

2001 Mr. Lopez. -- we also have staff -- and this is -- this
2002 is critical for Puerto Rico -- we also have staff embedded on the
2003 island. So --

2004 Mr. Ruiz. Where -- were exactly are they embedded?

2005 Mr. Lopez. Guaynabo.

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2006 Mr. Ruiz. Guaynabo.

2007 Mr. Lopez. And also out of San Juan.

2008 Mr. Ruiz. And where else are they embedded? In San Juan?

2009 Mr. Lopez. San Juan.

2010 Mr. Ruiz. Okay.

2011 Mr. Lopez. So we have staff embedded there. We also have
2012 some staff --

2013 Mr. Ruiz. Okay. So, you know, the point I am making is that
2014 when I was there the number-one thing you need is clarity in
2015 leadership, in roles and responsibilities, and having to bring
2016 in all the -- all the local players, as Mr. Coleman was talking
2017 about, and everybody in a very flexible rapid response group and
2018 I didn't see that in Puerto Rico.

2019 We are using a spoke and hub model that is basically run out
2020 of San Juan. Very top-down heavy information is being sent out.

2021 All the different agencies are working in silos. They
2022 weren't even communicating with each other. So there is things
2023 like you mentioned, obstacles in being able to reach certain
2024 geographic locations.

2025 I worked with the 82nd Airborne closely in Port-au-Prince
2026 right after Haiti. Those -- those men and women can move
2027 mountains to get supplies anywhere in the world and I didn't see

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2028 that kind of coordination on the ground to get those supplies,
2029 to get the people where they needed to go.

2030 So here is what I am proposing, and I am speaking to every
2031 else, is, you know, the challenges of Puerto Rico are very
2032 different than the challenges in Houston and Florida.

2033 You don't have a large concentration of population with an
2034 infrastructure that is intact -- electricity and communication.
2035 You still have the majority of people without power. You still
2036 have the majority of people who have difficulty finding that clean
2037 water. And you say some of the -- some of the water systems are
2038 operational.

2039 What does that mean, operational? Because I have been into
2040 some hospitals they say are operational but that is only one floor
2041 of the five floors of the hospital, but yet people want to tout
2042 them as operational.

2043 So what we need to talk about is capacity and what is the
2044 capacity of the infrastructure to reach how many people.
2045 Oftentimes, gentlemen, we get -- we get the reports of how many
2046 people on the ground, how many water bottles, how many systems.

2047 But that is not the way that you manage or that you count
2048 accountability in a disaster response. We have to talk about
2049 capacity. So what is the capacity of the different agencies and

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2050 the different infrastructure systems to provide the much-needed
2051 services?

2052 And you are right, Mr. Lopez. Agua es vida -- water is life
2053 and so tell me, is there a water task force in Puerto Rico with
2054 different stakeholders and where is that water task force -- how
2055 is that water task force managed and who are the stakeholders in
2056 that task force?

2057 Mr. Lopez. So it is a small group. So we have, again, FEMA.
2058 We have mission assignment. Our offices -- we work with the EQB
2059 -- environmental quality -- and with the state health -- excuse
2060 me, the territory health department.

2061 So those are the principal actors.

2062 Mr. Ruiz. Okay.

2063 Mr. Lopez. And just, Congressman, if I may, we are on track
2064 on a regular basis. We do regular meetings with the island --
2065 conference calls and interdiction of --

2066 Mr. Ruiz. Great. My proposal is to have field command
2067 posts with all the different stakeholders to address local issues
2068 with local mayors and NGOs and the Puerto Rican government, the
2069 federal government, and other agencies working together -- pretty
2070 much what Mr. Coleman talked about that is occurring in other
2071 locations but have that in Puerto Rico more in the field so that

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2072 you can have better decision making, coordination, and
2073 responding.

2074 Your role is to test and monitor and to track changes. But
2075 then that needs to get translated to actual implementation in a
2076 much more rapid way so that goods and repairs can be made in a
2077 transparent and prioritized way on the ground.

2078 And so that is -- my time is up -- so that is my -- that is
2079 my recommendation, given my experience and I think that we need
2080 to move forward in trying to implement some of those.

2081 Mr. Shimkus. Thank you, Dr. Ruiz. I agree.

2082 We had a very similar hearing like this on the Energy
2083 Subcommittee and the question I asked, well, who's in charge.

2084 Mr. Ruiz. Yes, and --

2085 Mr. Shimkus. I would have loved for --

2086 Mr. Ruiz. -- and right now we heard FEMA but then when I
2087 was on the ground FEMA said Puerto Rico --

2088 Mr. Shimkus. I -- I --

2089 Mr. Ruiz. -- and Puerto Rico says FEMA.

2090 Mr. Shimkus. I don't disagree and I -- I wish that the
2091 administration would have just parachuted 82nd there --

2092 Mr. Ruiz. I would have loved to have seen that.

2093 Absolutely.

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2094 Mr. Shimkus. -- to some of the very small villages and I
2095 think we all would have been better -- best served. Then we could
2096 have worried about who is responsible later. But you need to get
2097 service there immediately.

2098 Mr. Lopez. Chairman, if I -- just briefly, too. And not
2099 last but not least, there is a joint field operations center there
2100 and we do have EPA incident commanders and we have branch leaders
2101 in Puerto Rico.

2102 So there is an incident command center there. Those other
2103 agencies are embedded but --

2104 Mr. Ruiz. See, when you say that, though, Puerto Rico is
2105 big, you know, and you leave us with the impression that it is
2106 somewhere.

2107 But where exactly, and are they in the different
2108 municipalities and do we have the right people working in a group
2109 out in the field in those different municipalities, because when
2110 I was there they didn't exist.

2111 FEMA told me they didn't have field command posts. DMAT did
2112 not have field command posts. I spoke to different agencies that
2113 did not -- they said that this would be a good idea and something
2114 that they would be very willing to work with and actually I am
2115 meeting with HHS later today to address this concept.

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2116 Mr. Shimkus. Great. Thank you. Thank you very much.

2117 The chair now recognizes the gentleman from Texas, Mr.
2118 Flores, for five minutes.

2119 Mr. Flores. Speaking of HHS, that is going to be my
2120 question.

2121 I want to thank the chairman and ranking member for the --
2122 for holding this hearing. I want to thank the panel for joining
2123 us today.

2124 Under Emergency Support Function Number 8, the Department
2125 of Health and Human Services, or HHS as it is commonly called
2126 around here, is the primary agency for ESF Number 8 and includes
2127 support for potable drinking water, solid waste disposal, and
2128 other environmental issues related to public health.

2129 I have got a question -- this question for Mr. Lopez and Mr.
2130 Coleman, starting with Mr. Coleman. Number one, have you worked
2131 with HHS to carry out this function regarding providing potable
2132 water and also solid waste and debris removal in communities
2133 affected by hurricane damage this season.

2134 Mr. Coleman. Yes, sir. We do work with HHS. As specific
2135 to Hurricane Harvey, as the state and FEMA determined the specific
2136 federal assistance that is necessary. In this particular
2137 response, that role of HHS was somewhat limited because of, A,

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2138 the state capacity was quite extensive and we had done a lot of
2139 coordination work with them, but embedded with my staff I have
2140 three members from the Centers for Disease Control and they
2141 coordinate and have reach back capability to both the CDC
2142 headquarters and HHS in general as any issue comes up and we are
2143 able to quickly address those and provide the support as requested
2144 by the state.

2145 Mr. Flores. Okay. Thank you, Mr. Coleman.

2146 Mr. Lopez, do you have anything to add regarding --

2147 Mr. Lopez. The only thing I would say, again, is that HHS
2148 is part of the unified command structure so that they are immersed
2149 in that conversation.

2150 Our local engagement has been with the Puerto Rico Department
2151 of Health. So, ultimately, we do have the representation of
2152 health interests.

2153 Mr. Flores. Okay.

2154 Mr. Glenn, do you have anything to add?

2155 Mr. Glenn. No, sir. It's part of that structure and we have
2156 been working with them.

2157 Mr. Flores. Okay.

2158 Mr. Shaw, you gave us a breakdown of TCEQ's costs for dealing
2159 with the hurricane response and you indicated that the funds to

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2160 reimburse you would be coming from FEMA. Has FEMA been a good
2161 partner in working with the state of Texas and dealing with the
2162 response and recovery efforts?

2163 Mr. Shaw. Yes, and there is sort of various aspects of how
2164 that operates. We have, in the initial public assistance
2165 reimbursement from FEMA, about \$700,000 anticipated for that cost
2166 and that is the initial travel and what have you, working with
2167 the initial response.

2168 We also have a \$15 million authorization from FEMA for us
2169 to work with EPA in dealing with the field operations, which
2170 includes a lot of our command and control -- our assessment and
2171 location of containers displaced and what have you in the field
2172 operations.

2173 So \$700,000 for the initial component and \$15 million to work
2174 with EPA on those field operations.

2175 Mr. Flores. Okay. What can be improved upon in terms of
2176 that process? It sounds to me like it has worked pretty smoothly.
2177 Do you have any suggestions for improvement?

2178 Mr. Shaw. It is working well. Communications is the
2179 primary issue and we have a lot of lessons learned. So yes, I
2180 think we will learn more but I think the key thing is to point
2181 out one of the issues, for example, are lessons learned. We work

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2182 very closely with EPA. In this event, we were able to very quickly
2183 deal with things such as fuel waivers that took weeks in past
2184 events and took hours in this event and that allowed us to focus
2185 on those critical issues, making sure we got water, wastewater,
2186 and immediate harm issues addressed quickly.

2187 Mr. Flores. Okay. In this process, have you come across
2188 anything where Congress can help in terms of making statutory
2189 improvements to the Stafford Act or any other related federal
2190 statutes to deal with catastrophes like this?

2191 Mr. Shaw. There are -- there is room for improvement and
2192 the challenges, quite frankly, Congressman, are going to be those
2193 tradeoffs because, you know, as you look at -- and this is sort
2194 of outside of my lane -- but one example is dealing with the repairs
2195 on the recovery side of that to homes, for example, and I think
2196 there's opportunities to be able to get that done much more quickly
2197 and to do permanent repairs as opposed to something that is
2198 temporary.

2199 The reason that I am interested in that is because getting
2200 those folks back into their homes has such a huge health and
2201 environmental impact because the longer it takes to get those
2202 homes repaired the longer you have those health issues associated
2203 with debris with people that are outside or displaced from their

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2204 housing and then the economics associated with all those.

2205 So there are room for improvement. A lot of those have to
2206 do with making sure that Congress is making the types of decisions
2207 about how to improve the efficiency of getting those repairs done
2208 as well as making sure that they're ensuring that those funds are
2209 expended properly and you avoid -- there is going to be foul play
2210 involved and that becomes a huge issue as how much you balance,
2211 making sure you get the funds out there but you minimize the money
2212 that is fraudulently spent.

2213 Mr. Flores. Okay.

2214 Thank you for your responses. Again, I thank the panel for
2215 joining us. I yield back the balance of my time.

2216 Mr. Shimkus. Gentleman yields back.

2217 The chair now recognizes the gentlelady from Colorado, Ms.
2218 DeGette, for five minutes.

2219 Ms. DeGette. Thank you so much, Mr. Chairman, and thanks
2220 to the witnesses for coming.

2221 Mr. Glenn, before Hurricane Irma, you and the other leaders
2222 in Region 4 increased staffing of the Regional Emergency
2223 Operations Center, the deployed on-scene coordinators to the
2224 state emergency operations center, and you provided a Region 4
2225 liaison to the FEMA Regional Coordination Center. Is that right?

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2226 Mr. Glenn. Yes, ma'am.

2227 Ms. DeGette. And do you -- can you estimate how many senior
2228 leaders were deployed prior to the hurricane's landfall?

2229 Mr. Glenn. Prior to the landfall, as far as our executive
2230 leadership I, myself, went down and we had two other senior leaders
2231 that worked directly for me went to south Florida, and then some
2232 individuals from headquarters were also down in Florida.

2233 Ms. DeGette. Okay. Were you the most senior person down
2234 there before landfall or was there someone more senior to you?

2235 Mr. Glenn. Prior to landfall, I was the most senior person
2236 in the Region 4 down there.

2237 Ms. DeGette. Okay. And, you know, it is like Mr. Coleman
2238 was saying, there was a lot of coordination with the state and
2239 local officials down there. Is that right?

2240 Mr. Glenn. Absolutely. Yes, ma'am.

2241 Ms. DeGette. So, Mr. Lopez, I want to -- I know you didn't
2242 arrive on the scene until September 28th but I want to ask you
2243 the same question, if you know.

2244 Before Hurricane Irma hit Puerto Rico, did the leaders in
2245 Region 2 increase staffing in the Regional Emergency Operations
2246 Center?

2247 Mr. Lopez. So, again, I started actually on October 11th.

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2248 Ms. DeGette. Oh, okay.

2249 Mr. Lopez. But --

2250 Ms. DeGette. So do you -- do you know what kind of staffing
2251 was increased?

2252 Mr. Lopez. I would have to -- I would have to get back with
2253 you for detail.

2254 Ms. DeGette. Okay.

2255 Mr. Lopez. I have some assessments but I don't want to be
2256 inappropriate with a response. So I'd be happy to respond.

2257 Ms. DeGette. Okay. And so the questions -- you'll probably
2258 need to get back to me on the staffing, the onsite coordinators,
2259 and who the senior leaders were who were there prior to landfall.

2260 The anecdotal evidence that we have is that whereas in Region
2261 4 they were all there before it hit, in Region 2 what happened
2262 was they were all rushed -- aside from the people who were already
2263 embedded there that you testified about before that we were
2264 already behind the curve because we had to send a lot of people
2265 in. So if you can get me that information that would be really
2266 helpful.

2267 And I want to ask you again -- to continue, Mr. Glenn, now,
2268 on September 12th there were 12 field hazard assessment teams
2269 conducting facility assessment support at chemical and oil

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2270 storage facilities. Is that right?

2271 Mr. Glenn. Yes, ma'am.

2272 Ms. DeGette. Now, Mr. Lopez, do you know how many field
2273 assessment -- field hazard assessment teams were operating in
2274 Puerto and the U.S. Virgin Islands two days after Irma made
2275 landfall?

2276 Mr. Glenn. I can't tell you the number of teams but I can
2277 tell you that teams were on the ground so --

2278 Ms. DeGette. You don't -- can you get me that answer,
2279 please, of the number?

2280 Mr. Lopez. I can get you the number, of course.

2281 Ms. DeGette. And how about Maria? Same thing?

2282 Mr. Lopez. I will have to get you the same thing. Again,
2283 the sites --

2284 Ms. DeGette. Okay.

2285 Mr. Lopez. -- as I mentioned in my testimony, were assessed
2286 prior and afterwards. So there have been assessments ongoing.
2287 But I can't tell you the number.

2288 Ms. DeGette. Right.

2289 But, again, you know, in Region 4 they had 12 teams on the
2290 ground two days after. So what I want to know, and as several
2291 of my colleagues on both sides of the aisle have said, is Puerto

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2292 Rico is a lot larger physically and more complex because of
2293 transportation needs and other issues.

2294 So I am just wondering two days after landfall in Puerto Rico
2295 and the U.S. Virgin Islands how many teams did we have and what
2296 were they doing.

2297 Now, Mr. Lopez, I bet you can't answer this either.

2298 Mr. Lopez. I will do my best, ma'am.

2299 Ms. DeGette. Do you know how many teams did Region 2 have
2300 in making boots on the ground assessments of Superfund sites two
2301 days afterwards -- after Irma?

2302 Mr. Lopez. As I mentioned, the --

2303 Ms. DeGette. If you can get me that information, too.

2304 Mr. Lopez. We will get you the specific numbers.

2305 Ms. DeGette. Sure.

2306 Mr. Lopez. But just to be clear, Congresswoman, there was
2307 a presence --

2308 Ms. DeGette. Uh-huh.

2309 Mr. Lopez. -- and folks were on the ground assessing before
2310 and after.

2311 Ms. DeGette. I am certainly not trying to imply there was
2312 no presence.

2313 Mr. Lopez. I understand. I just don't have the correct

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2314 number.

2315 Ms. DeGette. But like Mr. Glenn -- correct me if I am wrong
2316 -- Region 4 had six teams on the ground on September 12th that
2317 were making boots on the ground assessment of Superfund sites.
2318 Is that right, Mr. Glenn?

2319 Mr. Glenn. Yes, ma'am.

2320 Ms. DeGette. So that is what I am wondering, Mr. Lopez, and,
2321 frankly, I am a little concerned that you don't know. I realize
2322 you didn't come in until October. But we need to know how robust
2323 and how quick the response was and the very fact that we are having
2324 this hearing, Mr. Chairman, and they can't answer any of these
2325 questions for Region 2 -- Region 4 has it Johnny-on-the-spot --
2326 just goes to the concern that we are all -- that we are all
2327 expressing today and if I can get your answers maybe --

2328 Mr. Lopez. Sure.

2329 Ms. DeGette. -- maybe my concerns will be alleviated. But
2330 I fear that they will not.

2331 Thank you. I yield back.

2332 Mr. Shimkus. The gentlelady yields back her time and I thank
2333 her for those questions. It just goes to my point of a standard
2334 operating procedure and why are regions different when there is
2335 a disaster heading in a certain area.

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2336 Ms. DeGette. Why is it one thing in one region and another
2337 thing in another region?

2338 Mr. Shimkus. Right. So thank you very much.

2339 The chair recognizes the gentleman from North Carolina, Mr.
2340 Hudson, for five minutes.

2341 Mr. Hudson. Thank you, Mr. Chairman, and thank you to all
2342 the witnesses for being here today.

2343 Mr. Glenn, I particularly want to say welcome to you.
2344 Obviously, Region 4 includes my home state of North Carolina. I
2345 look forward to getting to know you better and working with you
2346 in the future.

2347 While the damage in Puerto Rico and the U.S. Virgin Islands
2348 is significant, Region 4, including Florida, sustained
2349 substantial damage from Hurricane Irma on the heels of rebuilding
2350 after the 2016 hurricane season.

2351 There were several reports after Hurricane Irma of issues
2352 with drinking water systems and several communities under boiled
2353 water advisories.

2354 What is the status, Mr. Glenn, of drinking water systems in
2355 Region 4? Are there still people without access to safe drinking
2356 water?

2357 Mr. Glenn. The information I have is that all drinking water

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2358 systems are operational in Region 4. We are not aware of any
2359 people served by a system that are without access to potable
2360 drinking water.

2361 Mr. Hudson. Great. What about right after the storm? How
2362 did the drinking systems fare during the hurricane?

2363 Mr. Glenn. Well, as you know, any time a storm like this
2364 comes through it has impacts. It has immediate impacts, and so
2365 almost every municipality that was in the path of the storm did
2366 experience some type of impact at varying levels.

2367 The impact you've heard today -- physical damage, power
2368 outages, personnel, chemical supply interruptions, and the like
2369 -- so almost every system was impacted and --

2370 Mr. Hudson. In terms of water systems -- drinking systems?

2371 Mr. Glenn. Yes, sir. Drinking systems. Correct.

2372 Mr. Hudson. Well, just on your assessment, are there any
2373 improvements to the drinking water systems that we could look at
2374 to help in future situations like this?

2375 Mr. Glenn. Well, as you know, we operate under the
2376 permission authority of the Stafford Act and we will continue to
2377 do so and fulfill whatever authorizations are provided for in that
2378 act.

2379 Mr. Hudson. Got you.

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2380 For everybody, the whole panel, in June 2016 the National
2381 Infrastructure Advisory Councils recommended FEMA consolidate
2382 federal emergency response roles and responsibilities for water
2383 into a single ESF within the annex of the national response
2384 framework to improve coordination and reduce confusion and
2385 improve the information sharing and communication.

2386 The 2016 recommendation repeats an NAIC recommendation from
2387 2009 that declared DHS should elevate water services to its own
2388 ESF within the NRF to achieve higher prioritization of water
2389 systems during emergency response that opens up to at least
2390 everyone from FEMA.

2391 And Dr. Shaw, you're welcome to join in too, but do you
2392 believe making this change is a wise move? I would just ask the
2393 FEMA regional folks to chime in.

2394 Mr. Coleman. So with regards to that recommendation, we
2395 think that and my personal experience is that water infrastructure
2396 is extraordinarily important. It essentially sets the basis for
2397 when people can repopulate an area.

2398 So, you know, I think it is very important. I don't have
2399 a specific opinion on if it should be its own emergency support
2400 function but I think that working very closely with the state
2401 governor's office, et cetera, to make sure that in a response you

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2402 restore service as soon as possible is the most important thing.

2403 Mr. Hudson. So you don't -- you don't want to say whether
2404 making its own ESF would help with that coordination?

2405 Mr. Coleman. I actually -- from my personal experience the
2406 coordination with the governor's office and the local officials
2407 is the most important coordination that needs to take place and
2408 when that takes place you're able to actually get the right
2409 equipment, infrastructure, or support to bring those systems back
2410 online.

2411 Mr. Hudson. Got you.

2412 Dr. Shaw, I see you are chomping at the bit. Please.

2413 Mr. Shaw. And I am going to be supporting what Mr. Coleman
2414 said as well and that is that I think the key point is in my state
2415 it may be difficult for me to assess whether that -- what that
2416 need would change because we have such a focus on water and
2417 wastewater as our initial response in that.

2418 I am thinking back through the days before, during, and after
2419 the landfall and I don't -- I have not identified the place where
2420 that would have changed things because we work cooperatively and
2421 our mission is first and foremost to get out and assess those
2422 issues that are immediate harm and key among those are water and
2423 wastewater systems and getting those back online.

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2424 We have partners such as with Texas -- I always get this wrong
2425 -- the Texas American Waterworks Association -- our TXWARN system
2426 which helps us to bring together different resources from
2427 different services that are available to get equipment in places.
2428 Those things are all working very well. And so my only concern
2429 with changes is making sure we don't lose what's working well
2430 because it is working well in the state of Texas. Obviously, you
2431 want it quicker, but those are tweaks as opposed to major
2432 overhauls.

2433 Mr. Hudson. Got you.

2434 I have got a little over 10 seconds. Do either -- Lopez or
2435 Glenn, do you have an alternate opinion?

2436 Mr. Lopez. Just to reinforce, I was a local official and
2437 I was also on the ground during Irene and Lee. The issue of
2438 communication is really the critical issue.

2439 So whether it is a single function or a coordinated function,
2440 you really need to be in the heads of the plant operators who know
2441 exactly what they need and how to get up and running. So if you
2442 can penetrate to that level quickly, that is really what you need.

2443 Mr. Hudson. Great.

2444 Mr. Chairman, my time has expired. I will yield back.
2445 Thank you.

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2446 Mr. Shimkus. The gentleman yields back his time.

2447 We want to thank this panel. You can tell -- we know you've
2448 travelled far and there is still a lot of work to do and so we
2449 are very appreciative of your efforts.

2450 And there are some members who have asked questions for you
2451 to respond. If you can do so in a timely manner, that would also
2452 be appreciated. Thank you for what you do and now go back to your
2453 regions and get to work.

2454 And with that, we will dismiss this panel and ask for the
2455 second panel to join.

2456 Okay. Vamanos. Let us go. You Texas Aggies, get out of
2457 the hearing room.

2458 [Laughter.]

2459 Olson, let's go. Hallway.

2460 Okay. We want to thank all our witnesses for being here
2461 today, taking the time to testify before the subcommittee. Our
2462 second witness panel for today's hearing includes Mr. Mike Howe,
2463 executive director and secretary treasurer for the Texas Section
2464 of American Waterworks Association; Mr. Mark Lichtenstein, chief
2465 of staff, chief sustainability officer, State University of New
2466 York, College on Environment Science and Forestry; Ms. Lyvia N.
2467 Rodríguez del Valle, executive director of Corporacion del

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2468 Proyecto ENLACE del Caño Martín Peña; and Mr. Trent Epperson,
2469 assistant city manager administration, City of Pearland.

2470 So you were able to be here for the -- obviously, the first
2471 panel. This will be a smaller group but still as important as
2472 we get your statements into the record.

2473 There will be some of us who will be here to ask the questions,
2474 as you saw in the first panel. We do appreciate you being here
2475 and with that we will start with Mr. Howe. You are recognized
2476 for five minutes and your full statement is submitted for the
2477 record.

2478 You are recognized, sir.

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2479 STATEMENTS OF MIKE HOWE, EXECUTIVE DIRECTOR, TEXAS SECTION OF
2480 AMERICAN WATER WORKS ASSOCIATION, ON BEHALF OF AMERICAN WATER
2481 WORKS ASSOCIATION; MARK LICHTENSTEIN, CHIEF OF STAFF AND CHIEF
2482 SUSTAINABILITY OFFICER, SUNY COLLEGE OF ENVIRONMENTAL SCIENCE AND
2483 FORESTRY; LYVIA N. RODRÍGUEZ DEL VALLE, EXECUTIVE DIRECTOR,
2484 CORPORACIÓN DEL PROYECTO ENLACE DEL CAÑO MARTÍN PEÑA; TRENT
2485 EPPERSON, ASSISTANT CITY MANAGER, CITY OF PEARLAND, TX

2486

2487 STATEMENT OF MR. HOWE

2488 Mr. Howe. Thank you much and good afternoon, Chairman
2489 Shimkus and members of the subcommittee.

2490 My name is Mike Howe, the executive director of the Texas
2491 Section AWWA and we manage the Texas Water/Wastewater Agency
2492 Response Network, or TXWARN.

2493 The mission of TXWARN is to provide emergency preparedness
2494 disaster response and mutual aid assistance for water and
2495 wastewater utilities. TXWARN began after Hurricane Katrina when
2496 it was apparent that the coordination and prioritization of water
2497 utility needs was disjointed under the existing national response
2498 framework.

2499 We in the water sector realized that we needed to develop
2500 a utility-to-utility mutual aid system. AWWA spearheaded the

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2501 WARN initiative and collaborated with other stakeholders to
2502 facilitate the growth of WARN from the two-state program in 2006
2503 to the 50 programs we have nationwide today.

2504 Membership in TXWARN is free and is available to all public
2505 and private utilities in Texas, making it the largest
2506 utility-to-utility mutual aid program in the country with more
2507 than 1,200 utility members that provide services to 78 percent
2508 of the population of the state of Texas.

2509 The Texas Section AWWA manages TXWARN and receives partial
2510 funding from the TCEQ via the state revolving fund program to
2511 facilitate training and exercises.

2512 Hurricane Harvey made landfall as a Category 4 hurricane in
2513 Nueces and Aransas Counties on August 25th and, as you know,
2514 meandered to the northeast over the upper Texas coast for four
2515 days.

2516 It presented water utilities with unique challenges. As the
2517 storm approached, we activated the TXWARN system on October --
2518 August 23rd. We first began preparing support teams for the
2519 inevitable aid requests.

2520 Ground zero for Hurricane Harvey was the small coastal town
2521 of Port Aransas. At daylight after the storm the local water
2522 utility manager assessed the damage to the community and the water

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2523 system.

2524 The power was out for the water pumps, one of the water supply
2525 lines from Corpus Christi was out of service, and the majority
2526 of the community's water systems were leaking.

2527 As Harvey crossed Aransas Bay, it brought significant
2528 similar damage to Rockport's water and wastewater system. The
2529 first major request for TXWARN came early Sunday morning on behalf
2530 of Port Aransas. The water system had to be operational before
2531 authorities could bring the population back.

2532 TXWARN contacted the San Antonio Water System, or SAWS, a
2533 little more than two hours away from Port Aransas and its
2534 management agreed to send equipment and manpower to Port Aransas.
2535 In less than 24 hours, SAWS had deployed 20 field staff and by
2536 Friday of that week they had completely restored service.

2537 SAWS also responded to Rockport, performing repairs to it
2538 water and wastewater systems. TXWARN arranged to relief SAWS
2539 crews after 10 days from this grueling work with crews from the
2540 Austin water utility.

2541 During the nearly two-week response period TXWARN was full
2542 activated, we managed more than 50 similar requests for large and
2543 small systems. We are very pleased with our response operations
2544 during Harvey but there is always room for improvement.

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2545 Specifically, I would like to call your attention to how the
2546 needs of the water sector are prioritized and coordinated as part
2547 of the national response framework, or NRF.

2548 The current organizational structure of the NRF largely
2549 reflects the 1992 federal response plan prepared by FEMA. That
2550 was 25 years ago. The experiences of the water sector since then
2551 suggest that this current model requires a thorough review and
2552 update.

2553 The loss of drinking water and wastewater services compounds
2554 the complexities of all response activities and impacts the
2555 ability of first responders to sustain shelters, hospitals, and
2556 other first responding units.

2557 Therefore, prioritizing the recovery of water and wastewater
2558 service is essential to bringing normalcy and commerce back to
2559 any community.

2560 The disaggregated approach under the national response
2561 framework means that no single entity at the federal level has
2562 total responsibility for the water mission. This is our issue,
2563 and others at the federal level has also recognized this.

2564 In 2009, the National Infrastructure Advisory Council
2565 recommended the Department of Homeland Security elevate water
2566 services to its own ESF category within the national response

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2567 framework.

2568 Seven years later, the NAIC recommended that DHS direct FEMA
2569 to consolidate federal emergency response roles and
2570 responsibility into a single ESF.

2571 Implementing these recommendations will be consistent with
2572 the approaches applied for similar critical infrastructure such
2573 as transportation, communications, and energy.

2574 We urge Congress with its oversight jurisdiction and
2575 responsibilities to direct FEMA to reconsider how the NRF is used
2576 to support disaster response and recovery. This is vital for
2577 protecting public health, the environment, and all the
2578 communities we serve.

2579 And thank you very much. [The prepared statement of Mr. Howe f

2580

2581 *****INSERT 5*****

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2582 Mr. Shimkus. Thank you, sir.

2583 And now I would like to recognize Mr. Mark Lichtenstein from
2584 the State University of New York. You are recognized for five
2585 minutes.

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2586 STATEMENT OF MR. LICHTENSTEIN

2587

2588 Mr. Lichtenstein. You pronounce my name better than I do.
2589 Thank you.

2590 Chair Shimkus, Chair Walden, Ranking Members Tonko and
2591 Pallone, and honorable subcommittee members, thank you for the
2592 opportunity to participate.

2593 Having just returned from Puerto Rico and the Virgin Islands,
2594 I have many observations and concerns. But today I am only going
2595 to focus on disaster debris.

2596 I have more than three decades of waste management experience
2597 including with disasters. I am employed by the State University
2598 of New York College of Environmental Science and Forestry -- ESF
2599 -- in Syracuse. It is a different ESF than we have been talking
2600 about.

2601 As immediate past president of the National Recycling
2602 Coalition, I helped create a task force on sustainable disaster
2603 debris management immediately after Harvey.

2604 I have helped address issues in the island since 2009,
2605 working with colleagues like my partners to the left, and I am
2606 a member of the board for Island Green, a U.S. Virgin Islands
2607 nonprofit.

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2608 I have been working with local people to devise a sustainable
2609 approach for the storm debris. Some U.S. government responders
2610 are appreciated.

2611 However, there is concern from some residents and other
2612 experts regarding the potential ecological and human health
2613 impacts of a disaster debris management method of choice of the
2614 Army Corps of Engineers -- air curtain incineration.

2615 ACI is a past practice of FEMA and the Corps in these
2616 situations and they have proposed it for the Virgin Islands and
2617 possibly Puerto Rico as well.

2618 This would add insult to injury, especially considering that
2619 much of the debris is clean vegetation. There are better ways.

2620 During Superstorm Sandy in New York City, the Corps planned
2621 to use ACIs continuously for four months but they stopped after
2622 one month because they could not get them to function properly.

2623 Air quality was exceeded during days of high humidity and
2624 this was November in New York City. Humidity is routinely
2625 extremely high on the islands. Local people and others are
2626 concerned that ACIs will emit pollutants that could cause
2627 pulmonary aggravation, particularly for individuals with asthma
2628 or cardiac diseases.

2629 Diesel and gasoline generators, which you have heard about

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2630 already today, and exposure to indoor mold are already aggravating
2631 existing respiratory conditions.

2632 If burning moves forward in any manner, appropriate agencies
2633 should be asked to address potential health issues, especially
2634 regarding existing conditions. The agency for toxic substances
2635 and disease registries should be requested to do a review of the
2636 health impacts of burning before it commences. EPA should be
2637 asked to establish air monitors downwind of the burners and
2638 burning should not commence until monitors are established and
2639 EPA immediately shares results with the public.

2640 Much of the topsoil has been lost through storm water. They
2641 have been hammered with rain since the hurricanes. So it is
2642 critical that the vegetative debris remain to help replenish the
2643 soil that the plants of the islands need.

2644 When considering options like burning, it is essential to
2645 incorporate externality costs -- costs for which it is hard to
2646 calculate an immediate number like climate change, the impacts
2647 of depleted soils on the ecosystem, or health effects of air
2648 pollution.

2649 These impacts can be reduced through other viable options
2650 and this is one reason groups like the National Recycling
2651 Coalition have opposed ACIs.

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2652 FEMA and the Corps have said they will take the governor's
2653 lead. Many in the Virgin Islands have asked their governor to
2654 oppose incineration. Experts from Puerto Rico, the Virgin
2655 Islands, and stateside have worked to develop a viable alternative
2656 including recovery of hardwood and then mulching and composting.
2657 This all could be done safely and efficiently.

2658 Composting is a process that nature has perfected over
2659 millions of years. It has been successful in many locations at
2660 large scales and with other disasters like Superstorm Sandy.

2661 Puerto Rico officials are working towards a similar
2662 sustainable plan. Providing a valid option to incineration can
2663 serve as a positive framework for other disaster-impacted areas
2664 in the future and that is key, and it represents a new sustainable
2665 scheme for debris and waste on the islands, going forward.

2666 This is a once and done opportunity to get a leg up on
2667 acquiring the infrastructure needed for management of the
2668 island's long-term organic waste problem, which is about 50
2669 percent of the island's normal waste stream. This gets to the
2670 questions about landfills earlier.

2671 To help this sustainable option move forward, assistance
2672 could come in the form of a waiver of the matching funds
2673 requirement for the next 18 months while the islands build towards

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2674 this more resilient and future-focused infrastructure.

2675 Right now, FEMA is requiring the debris management solution
2676 to be fully implemented in 180 days and this is considered
2677 unrealistic for composting or burning.

2678 The residents and visitors of Puerto Rico and the Virgin
2679 Islands deserve our focused attention. They deserve clean air
2680 and a healthy ecosystem.

2681 The hurricanes were certainly not desired, but this is a
2682 great opportunity to build a more resilient and sustainable future
2683 so that the islands can come back better than before.

2684 Thank you on behalf of my institution, ESF, and SUNY, and
2685 we stand ready to assist the subcommittee as it continues its work.

2686 [The prepared statement of Mr. Lichtenstein follows:]

2687

2688 *****INSERT 6*****

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2689 Mr. Shimkus. Thank you very much.

2690 Next, we would like to turn to -- I don't know if it is Señora
2691 or Señorita. Señor? Rodríguez del Valle.

2692 You are recognized for five minutes.

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2693 STATEMENT OF MS. RODRÍGUEZ

2694

2695 Ms. Rodríguez. A disaster within a disaster --

2696 Mr. Shimkus. One moment, please. There is a -- just press
2697 a button there. You'll be fine.

2698 Ms. Rodríguez. Thank you. I will start again.

2699 A disaster within a disaster -- that is what the eight
2700 densely-populated communities on the Caño Martín Peña and others
2701 that were already under environment distress prior to Irma and
2702 Maria have been experiencing since the hurricane struck.

2703 The 25,000 U.S. citizens living on the eastern half of the
2704 Martín Peña tidal channel already feared rain. They knew about
2705 flooding. An average of twice a year heavy rainfall translated
2706 into severe floods with wastewater.

2707 Accounts of raw sewage coming out of the shower and toilets
2708 or of waking up in the middle of the night to a wet bed and water
2709 to your knees and waste were common.

2710 They knew having to dry a wet mattress in the sun to have
2711 somewhere to lay down to sleep at night. They also knew disease.
2712 The prevalence of gastrointestinal disease in the Cano was of 31
2713 percent in three months, compared to 20 percent in a full year
2714 for Puerto Rico.

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2715 Forty-four percent of the children five years of age and
2716 under living close to the Caño had asthma. People had experienced
2717 the dengue fever, zika, and chikungunya epidemics. There have
2718 been reports of leptospirosis, a disease transmitted mainly by
2719 contact with the urine of rats and other animals and which can
2720 be fatal.

2721 The Martín Peña channel stretches for 3.7 miles across San
2722 Juan, connecting San Juan Bay, where Puerto Rico's busiest port
2723 is, to the inland San Jose Lagoon to the east, vital for the
2724 stormwater management of the adjacent Luis Muñoz Marín
2725 International Airport. It is part of the San Juan Bay, recognized
2726 by the EPA for its national significance.

2727 From a 200- to 400-foot wide navigable channel, today it is
2728 barely five feet wide in some areas. Adjacent communities lack
2729 sewer systems and the stormwater system has collapsed. The San
2730 Jose Lagoon has lost superficial area and depth, increasing the
2731 risk of floods at the airport and other communities throughout
2732 San Juan.

2733 If historic -- if history were to repeat itself, almost a
2734 century ago after two major hurricanes and in the midst of an
2735 economic depression, persons migrated to San Juan and the wetlands
2736 around the Caño became home.

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2737 Prior to Maria, the barrios which survived decades of
2738 eviction and gentrification were already a symbol of resiliency,
2739 empowerment, and grass roots organization.

2740 Residents engaged in an unprecedented participatory
2741 planning process that led to the creation of the comprehensive
2742 development ENLACE Caño Martín Peña project. Since then,
2743 together with the public and private sectors, they moved forward
2744 an agenda of long-term resiliency that has the potential of
2745 transforming the city by reconnecting its navigable bodies of
2746 water.

2747 Recovering the Caño with participation means healthier and
2748 safer conditions for the residents without fear of gentrification
2749 thanks to a community land trust recognized last year with the
2750 United Nations World Habitat Award.

2751 And then Irma and Maria struck. Close to 1,000 families lost
2752 totally or partially the roofs to their homes. Approximately 75
2753 homes were totally destroyed. The communities experienced
2754 another severe flood with raw sewage, only that this time around
2755 it lasted for four days.

2756 Approximately half of the trees along the Caño fell and
2757 together with the debris from the destroyed houses further blocked
2758 the Caño and the storm sewers.

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2759 Since Maria, it only takes 15 minutes of rain for floods to
2760 start. It even floods on a sunny day. We already have had two
2761 significant floods in the past two months, which have been
2762 affecting other areas of San Juan as well.

2763 Since Maria, water quality throughout the estuary has
2764 significantly worsened. The disturbance of the Caño and
2765 uncollected debris from streets caused a rat infestation and
2766 augmented the risk of mosquito-borne diseases. Alligators are
2767 approaching people's homes. Tarps and Corps-installed blue
2768 roofs are already in place. However, there is mold and water
2769 filtration.

2770 Fifteen years of organizing allowed for ENLACE, the
2771 grassroots G-8, and the land trust to work with partners and bring
2772 aid. However, the crisis is far from over.

2773 Now, imagine living in a state of never-ending crisis and
2774 trauma -- whole families sleeping on the floor on the room that
2775 does not get wet after sleeping under the rain for many days in
2776 the capital city of Puerto Rico, San Juan.

2777 Using federal recovery funds to support initiatives like the
2778 ENLACE Caño Martín Peña project presents a unique opportunity for
2779 an emblematic recovery process that increases Puerto Rico's
2780 long-term resiliency and sound economic development.

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2781 Investing in the ecosystem restoration of the Caño
2782 infrastructure and related acquisitions and relocation supports
2783 equitable development and participatory democracy.

2784 There is already a credible and proven institutional and
2785 policy framework in place and engaged community and partners,
2786 shovel-ready projects and NEPA compliance for the ecosystem
2787 restoration piece elaborated under the Water Resources
2788 Development Act of 2007.

2789 Due to the current crisis, the Caño cannot keep waiting for
2790 ordinary processes to occur. At a time of severe political,
2791 economic, fiscal, and financial challenges, support from the U.S.
2792 federal government is crucial.

2793 That is why I urge Congress to pursue the inclusion of this
2794 project and all of its components in any upcoming disaster
2795 recovery bill for Puerto Rico.

2796 This project is necessary and should be a priority due to
2797 serious repercussions in the San Juan Bay Estuary, public health,
2798 and safety.

2799 And finally, I want to stress the importance of ensuring that
2800 any funding related to Martín Peña or other communities in a
2801 similar situation promote on-site resilient recovery rather than
2802 displacement and gentrification and for assistance policies to

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2803 be context sensitive to allow for a just and equitable disaster
2804 recovery.

2805 We are concerned that FEMA individual assistance programs
2806 requiring families in need for housing to leave outside the flood
2807 plain can make families in desperate need to leave their
2808 communities.

2809 When this happens in areas where resilient onsite
2810 alternatives are visible and that have been under pressure of
2811 displacement and gentrification due to their strategic location,
2812 those who have struggled for their lands for decades can end up
2813 being uprooted.

2814 No person should leave fearing the rain and no community
2815 should be displaced when there is an alternative at hand. With
2816 your support, long-term solutions that also keep Puerto Rico face
2817 -- help Puerto Rico face its economic crisis such as this project
2818 will become a reality.

2819 An official visit to Puerto Rico I do invite you to come and
2820 visit the work we've done. Thank you.

2821 [The prepared statement of Ms. Rodríguez follows:]

2822

2823 *****INSERT 7*****

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2824 Mr. Shimkus. Thank you very much.

2825 Now I would like to turn to Mr. Epperson. You are recognized
2826 for five minutes.

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2827 STATEMENT OF MR. EPPERSON

2828

2829 Mr. Epperson. Good afternoon, Chairman, and members of the
2830 subcommittee.

2831 My name is Trent Epperson. I am the assistant city manager
2832 with the city of Pearland in Texas and I am pleased to be invited
2833 here today to present to you the effects of Hurricane Harvey as
2834 it occurred in the city of Pearland, especially as it relates to
2835 critical water and wastewater infrastructure and the need to make
2836 that infrastructure resilient and redundant.

2837 The city of Pearland is a suburban city of about 120,000
2838 residents just south of the city of Houston. It has been one of
2839 the fastest growing communities in the nation over the past 15
2840 years.

2841 We have grown from a population of about a little over 30,000
2842 in the year 2000 to today over 120,000 to where we are the third
2843 largest city in the Houston Metro area.

2844 During Hurricane Harvey, with its unprecedented flooding,
2845 Pearland experienced structural flooding affecting over 1,700
2846 residents, 50 businesses, and flooding to critical infrastructure
2847 including two wastewater treatment plants.

2848 Most of the flooding occurred along Clear Creek, which,

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2849 germane to this subcommittee is a 303D-listed impaired water body
2850 for bacteria. With a 500-year storm event, it is -- it was
2851 estimated before this storm that about 7,000 residents in the
2852 Clear Creek watershed would flood. I believe we saw that or more
2853 in Pearland and the downstream communities.

2854 There is, however, a U.S. Army Corps of Engineers drainage
2855 project that has been on the books since the '60s but yet to be
2856 funded.

2857 Based on the studies associated with that project,
2858 approximately half of those residents that flooded in the
2859 watershed would likely have been spared during Hurricane Harvey.

2860 Additionally, critical infrastructure within the watershed
2861 would not have flooded and failed as well. Although the city of
2862 Pearland has grown rapidly, our new development and our new
2863 infrastructure follows current codes and standards.

2864 The result was that in those newer areas we experienced very
2865 minimal flooding and that is in areas where we have added tens
2866 of thousands of new rooftops over the past 15 years.

2867 So we see that along with the completion of the Clear Creek
2868 drainage project what is needed is funding for continued sound
2869 investment and resilient and redundant critical infrastructure,
2870 especially to bring the older infrastructure to current

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2871 standards.

2872 The most critical of those infrastructure pieces are water,
2873 wastewater, and the automated systems that control that
2874 infrastructure. It is a critical life safety issue for any city
2875 to have the ability to deliver clean safe drinking water during
2876 a disaster.

2877 For Pearland, this critical infrastructure must have
2878 adequate generator power, flood proofing, and adequate elevation
2879 to survive a minimum of a 500-year storm as well as able to
2880 withstand Category 4 hurricane winds.

2881 During Hurricane Harvey, our water system performed very
2882 well with only one water well sustaining minor damage due to power
2883 surging. We never lost pressure and we were always able to
2884 deliver that clean safe drinking water.

2885 Unfortunately, some of our adjoining communities and the
2886 smaller water systems around us were unable to do that and did
2887 have to issue boil water notices.

2888 Additionally, continuity of service in treating wastewater
2889 is critical for citizens sheltering in place and the return of
2890 evacuees when they return -- when they come back to their homes.

2891 We must ensure that wastewater is adequately treated and not
2892 released during a flooding event because that can affect the

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2893 downstream water quality in our streams and bayous.

2894 In our area, wastewater facilities are often located in
2895 low-lying areas near the stream that they outfall to, making them
2896 vulnerable to flooding, and therefore a lot of them are in need
2897 of the same resiliency and redundancy criteria applied to our
2898 drinking water facilities.

2899 During Harvey, unfortunately our wastewater system did not
2900 fare near as well as our wastewater system. Our Longwood
2901 wastewater treatment plant, which was originally built in the
2902 1960s and is sited in one of the old oxbows of Clear Creek, was
2903 inundated with flood waters and inoperable for up to 72 hours
2904 during the event. The estimated damage to the plant is about a
2905 million and a half dollars.

2906 But due to the proximity of the plant to the creek, instead
2907 of making those expensive repairs on a plant that is vulnerable
2908 to the next flood, this facility should have its flows redirected
2909 to an adequate plant to mitigate any future damage or loss of
2910 service.

2911 One final critical piece of infrastructure to our utility
2912 operations is the Supervisory Control and Data Acquisition
2913 System, or SCADA.

2914 What SCADA is is it is basically a system that allows us to

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2915 monitor and control our critical water and wastewater facilities
2916 remotely.

2917 These systems must be redundant and resilient to provide
2918 continuous connectivity to those facilities throughout an
2919 emergency event.

2920 SCADA is indispensable to ensure the plants and the lift
2921 stations are operational and properly functioning when we cannot
2922 reach those facilities due to high water or debris.

2923 During Hurricane Harvey, for three days we could not
2924 physically access 18 wastewater lift stations which are critical
2925 to getting the wastewater to the plants. Due to a lack of SCADA
2926 redundancy, we were also unable to monitor many of these
2927 facilities remotely.

2928 The city of Pearland, although challenged, fared relatively
2929 well through Hurricane Harvey and will recover stronger than we
2930 were before the disaster.

2931 As we rebuild, we look to ensure our critical infrastructure
2932 is able to withstand flooding, high winds, and other potential
2933 disasters.

2934 To do this, we must have adequate recovery and mitigation
2935 funding available so that we do not just rebuild our critical
2936 infrastructure to its original state but we rebuild resilient

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2937 redundant infrastructure ready for the next disaster.

2938 Thank you, Mr. Chairman.

2939 [The prepared statement of Mr. Epperson follows:]

2940

2941 *****INSERT 8*****

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2942 Mr. Shimkus. Thank you very much. I appreciate the opening
2943 statements. I want to start by then recognizing myself for five
2944 minutes for a round of questioning.

2945 And I have some here prepared in front of me but I really
2946 want to go off script a little bit, and if you would hit the time,
2947 too, Jerry.

2948 The -- you sat in on our -- the first panel, which was long
2949 with a lot of extensive questioning and I think there was a
2950 consensus by my colleagues on both sides that maybe we are just
2951 not organized right and I think it addresses all three of your
2952 kind of positions because, one, it deals with, you know, the debris
2953 management issue, who makes the decision and for what purposes.

2954 Obviously, the estuary and the river systems, but we also
2955 want to make sure that if we go in this direction how do we not
2956 -- it was mentioned in the first panel -- how do we not stumble
2957 on them having a centralized government get involved in things
2958 that are working, right.

2959 So let me -- let me go and turn to each one of you and, Mr.
2960 Howe, my questions were going to be -- going to be totally directed
2961 to you but I really would like everyone's response because this
2962 is kind of similar to the energy hearing where in some places there
2963 is mutual agreements and when you have states or local service

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2964 areas you can coordinate and you can send folks to. Obviously,
2965 islands much more difficult, as we saw with the Energy
2966 Subcommittee.

2967 So what would be a structure by which -- I think your
2968 testimony was there are things that are working -- be careful not
2969 to screw those up if there was a change in the -- in essence, a
2970 change of the Stafford Act in some delineation of responsibility.

2971 Mr. Howe. In speaking to what I spoke in my remarks on the
2972 written testimony, also the issue of the multiple ESFs that water
2973 is under.

2974 Now, for lack of a better term, under the WARN program across
2975 the country we have done a workaround. The WARN programs are
2976 utilities supporting utilities and most of those programs are
2977 operated independently of the state regulatory agency or the state
2978 operation center, even though as you saw from Mr. Shaw earlier
2979 we cooperate with them directly.

2980 We are partially funded and we are unique to this, by the
2981 way. The Texas -- the TXWARN program is partially funded by the
2982 TCEQ. So we work very closely with them and the state operations
2983 center.

2984 But we have identified an issue that occurs in the state
2985 operations center because they are broadly looking at public works

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2986 and the totality of it -- that even though we are in touch with
2987 them and coordinating with them, they are not necessarily always
2988 paying full attention to the water/wastewater side.

2989 So during Harvey we had situations where we would loop back
2990 to them and have conversations and we would have to go through
2991 a complete refresh --

2992 Mr. Shimkus. I wonder if I can jump in so I --

2993 Mr. Howe. Yes, please.

2994 Mr. Shimkus. So your position is that, and I am learning
2995 these acronyms as we go through the hearing, it should be raised
2996 to an emergency support function level and that would help?

2997 Mr. Howe. In other words, it is disaggregated now. If it
2998 was under one, then I think, as I've said to somebody before, that
2999 then those in emergency management would have the same red light
3000 flashing on water/wastewater as they do on lifesaving and
3001 everything else that they do because it would be a single support
3002 function and we know from the industry that there are -- you know,
3003 we have only talked about three essential services -- police,
3004 fire, and EMS. But without electric, water, and wastewater the
3005 first three can't function.

3006 Mr. Shimkus. Okay. Let me go to Mr. Lichtenstein.

3007 Mr. Lichtenstein. It is a dichotomous thing. I drove all

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3008 around the islands -- Saint John, Saint Thomas, Puerto Rico,
3009 Vieques. So need for plans ahead of time, clearly.

3010 Standard operating procedures -- we talked about those
3011 earlier. But this is definitely a matrix thing. Can't be top
3012 down. It is not linear but yet there is a critical role for the
3013 U.S. government. What I saw, this dichotomous thing, was some
3014 unbelievable local efforts of stepping up to the plate. On the
3015 island of Vieques, and I don't know if you're familiar with that
3016 island but that is an island on the --

3017 Mr. Shimkus. We used to debate it a long -- couple years
3018 ago all the time.

3019 Mr. Lichtenstein. Yes. So here's a story about
3020 initiative. The U.S. Coast Guard, while Maria was still kind of
3021 hanging out, the captain there used initiative and sent some
3022 cutters over to Vieques before anybody else was there for days.

3023 So how do you -- how do you value that and how do you enhance
3024 that kind of activity to help the locals? Clarity of leadership
3025 is key.

3026 Mr. Shimkus. Right.

3027 Mr. Lichtenstein. What I saw was lack of clarity of
3028 leadership. So this is matrixed and it is something that we are
3029 going to have to figure out how to structure and how do you value

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3030 these local people that are just stepping up to the plate?

3031 Mr. Shimkus. And speaking of local people, Ms. del Valle
3032 -- Rodríguez del Valle?

3033 Ms. Rodríguez. Yes. I have to totally agree with Mark
3034 Lichtenstein's remarks. In our case being a community in San Juan
3035 basically the after -- right after Maria it was the residents the
3036 ones that took care of themselves and the institutions that have
3037 been working with them for a very long time came in the next day
3038 and that was the only outside help that they received in
3039 practically a month and this was San Juan with a lot of partners
3040 -- previously built partnerships.

3041 So the other thing that is helpful is for the -- in the case
3042 of the federal government it was very critical for us to have
3043 people on the ground that actually were able to listen, because
3044 sometimes you design a program that you think is going to work
3045 very well everywhere and not necessarily all the circumstances
3046 are the same.

3047 So we were able to establish those relationships and improve
3048 dramatically the type of help that was being brought to the
3049 communities, particularly with the project of the blue roofs and
3050 other assistance that we finally got from FEMA and the federal
3051 government.

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3052 Mr. Shimkus. Thank you.

3053 And let me, with my colleagues' permission so I can get Mr.
3054 Epperson on the record, Texas, local community -- how do we be
3055 careful that we are not part of the problem and, you know, we are
3056 from the federal government -- we are here to help, and then we
3057 end up not being helpful?

3058 Mr. Epperson. Thank you, Mr. Chairman.

3059 It is a very local response and effort from the beginning,
3060 and with the experience of Hurricane Harvey we really could not
3061 get out, could not get in for several days where we are located.

3062 We did -- we did -- we do have other local government contacts
3063 throughout Texas that were able to send high water rescue vehicles
3064 that were able to help out.

3065 So I think that initial response it is very local and how
3066 you have to deal with that, and then once the flood waters recede
3067 and we start talking about projects to -- the enhancement projects
3068 and projects to make sure that the next time we have the high wind
3069 event or the high water event, I believe that is where we can
3070 partner with FEMA and the federal government and the other
3071 agencies.

3072 Mr. Shimkus. Thank you very much, and I appreciate my
3073 colleagues allowing me to go a few minutes over.

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3074 Now I would like to turn to Mr. Tonko for five minutes.

3075 Mr. Tonko. Thank you, Mr. Chair.

3076 Ms. Rodríguez del Valle, where water systems are now working
3077 in Puerto Rico are there still concerns with water safety?

3078 Ms. Rodríguez. Yes. Yes, and the people are being told to
3079 boil the water before consumption. But when you have no power
3080 at home, you know, and the gas is limited it is very hard to comply
3081 with those basic health measures.

3082 Mr. Tonko. I have heard that there are over 200 independent
3083 water systems on Puerto Rico but they serve a very small percentage
3084 of the population.

3085 Can you characterize the types of communities or people
3086 served by independent non-PRASA water systems?

3087 Ms. Rodríguez. Well, I am not an expert in this. But from
3088 my knowledge, these are areas particularly in the mountain side
3089 of Puerto Rico where it was very difficult to provide formal
3090 services.

3091 So the families did community aqueduct systems decades ago
3092 and they have been living on those for a long time.

3093 Mr. Tonko. Thank you.

3094 And Mr. Epperson, your testimony mentioned that you need to
3095 make \$1.5 million worth in repairs to your water -- your wastewater

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3096 treatment plant. How important is it to protect your community's
3097 investment by making sure that that facility is more resilient
3098 to future flooding?

3099 Mr. Epperson. I think it is very important, you know, that
3100 we do have the plant up and running with temporary repairs.

3101 Those are the more permanent repairs and -- but because of
3102 the location of that plant we really are going to look at an
3103 enhancement type project with that -- with that plant to send those
3104 wastewater flows to one of our other plants, expand that plant,
3105 because it is situated and located in a location less vulnerable
3106 to the rising waters that we experienced at this plant.

3107 Mr. Tonko. And are there currently sufficient federal
3108 funding opportunities to help the communities assess and mitigate
3109 future vulnerabilities to their water supplies or water systems?

3110 Mr. Epperson. I believe there are opportunities. I am not
3111 certain that they are sufficient. You know, we are exploring what
3112 those opportunities are right now and moving through that process.

3113 Mr. Tonko. Thank you.

3114 And Mr. Howe, I am interested in how FEMA can improve its
3115 emergency support functions for the water sector. How does it
3116 compare to other critical infrastructure sectors?

3117 Mr. Howe. I think the difficulty we have is because it is

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3118 spread out over multiple ESFs there is not a nationwide or entirety
3119 of a single operating system so it can vary from region to region,
3120 area to area.

3121 As I mentioned, we were -- we were successful in Texas because
3122 we've almost -- we have made it happen that way. But it is not
3123 -- it is not consistent. So there needs to be a consistent
3124 structure of how that works and we believe under a separate ESF
3125 that would happen.

3126 Mr. Tonko. Thank you.

3127 And Mr. Lichtenstein, what types of pollution occur -- can
3128 occur from burning debris?

3129 Mr. Lichtenstein. Clearly, particulates or smoke. But
3130 that is the question that we want to answer -- what else is
3131 happening.

3132 So if it is a lower temperature burn there -- and if plastic
3133 -- I saw plastic tangled up with the debris and if that is burned
3134 it can potentially have dioxins, furans, polyaromatic
3135 hydrocarbons and other chemicals. But that really needs to be
3136 looked at.

3137 Mr. Tonko. Thank you.

3138 And I imagine that space is at a premium in areas like Puerto
3139 Rico and the U.S. Virgin Islands. What is the current state of

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3140 the landfills there and what particular challenges exist because
3141 of the land challenge itself?

3142 Mr. Epperson. Yes. I can't speak with authority to the
3143 landfills but I do have some knowledge. Some of them are really
3144 exceeding capacity and exceeding federal regulations. Others
3145 are well run and doing fine.

3146 The main island of Puerto Rico, of course, has more land than
3147 the other islands. In the Virgin Islands there are serious
3148 issues.

3149 There are only two landfills -- one on Saint Croix and one
3150 on Saint Thomas. Both have capacity issues and operational
3151 issues. So that is a big concern on those islands.

3152 Mr. Tonko. Thank you.

3153 And Ms. Rodríguez del Valle, if you had one recommendation
3154 to this subcommittee or to the committee in general, what would
3155 it be in regard to what you see right now in Puerto Rico?

3156 Ms. Rodríguez. I think disasters kind of bring out the best
3157 of the -- of the society and also the institutional flaws, and
3158 we are seeing a little bit of that currently in Puerto Rico, not
3159 only regarding the way in which we have been able to address the
3160 crisis.

3161 It has brought the best of the Puerto Rican people and its

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3162 capacity to organize and do a great job when nobody else was doing
3163 it. But it has also brought to light issues regarding the way
3164 in which disaster relief was organized, particularly during the
3165 first days.

3166 It seemed to many of us living there that there was a lot
3167 of disorganization and some of the decisions actually delayed
3168 assistance to the people who needed it the most.

3169 I also wanted to add one point regarding Mr. Shimkus'
3170 question and it has to do with federal government aid. Actually
3171 being able to be culturally sensitive is something as simple as
3172 having FEMA officers visiting people's homes to speak Spanish
3173 because most people in Puerto Rico do not understand English and
3174 sometimes decisions were being done regarding the type of aids
3175 that these families received with a language barrier in the
3176 middle.

3177 So perhaps that curtailed the ability of many of them to be
3178 able to actually get the help they needed.

3179 Mr. Tonko. Thank you very much.

3180 And with that, I yield back, Mr. Chair.

3181 Mr. Shimkus. Thank -- the chair thanks the gentleman.

3182 The chair recognizes the gentleman from Texas, Mr. Olson,
3183 for five minutes.

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3184 Mr. Olson. I thank the chair.

3185 I am going to open with the praise and Texas brag about a
3186 friend and leader back home in Texas 22, Trent Epperson. And
3187 Trent, I should give you a proper Aggie greeting -- howdy, my
3188 friend. Welcome.

3189 Trent is the assistant city manager of Pearland, Texas, as
3190 he mentioned. Pearland is the largest city in Brazoria County
3191 with over 120,000 people and growing, rapidly.

3192 Trent helps to run their half a billion dollar capital budget
3193 as well as overseeing both the city's public works and utilities
3194 department.

3195 Chair, we are so proud of Pearland and Brazoria County's
3196 response to Hurricane Harvey. Please tell the committee how many
3197 people died in Brazoria County because of Hurricane Harvey.

3198 Mr. Epperson. There were no people that died in Brazoria
3199 County during Hurricane Harvey.

3200 Mr. Olson. Zero. Nada. Nil. No deaths. That's
3201 amazing, despite five feet of rain in parts of Brazoria County.
3202 Is that correct?

3203 Mr. Epperson. Yes, sir.

3204 Mr. Olson. Okay. Now the fun stuff -- the questions.

3205 What kind of help did you get immediately after Harvey hit

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3206 outside of Brazoria County from the federal government, from the
3207 EPA, maybe from FEMA, from other states, other entities?

3208 What would you change about the storm response lines of
3209 communication now to the next storm that is coming? We know it
3210 is coming.

3211 Mr. Epperson. As far -- as far as immediate help, I think
3212 it was mostly locals that were able to do the -- all of the
3213 immediate response needs.

3214 We have been working with FEMA, meeting with them on a weekly
3215 basis since then. I believe that process for the immediate needs
3216 and the debris removal and developing our damage assessments is
3217 moving forward.

3218 One of the areas where I think that moving forward we want
3219 to improve as well as working with the feds improve is a buy-out
3220 program where we -- it has in the past been a -- kind of sporadic
3221 when there is a disaster.

3222 We move forward with a buy-out program. It occurs several
3223 months to maybe more than a year after the actual event itself.
3224 And so we see a need for accelerating that. There are people that
3225 are out of their homes right now and don't know whether to repair
3226 those homes and make those repairs because they don't know whether
3227 there is a buyout opportunity or not.

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3228 So I think the ability to accelerate that and have that as
3229 an ongoing program even when there is not a disaster that just
3230 occurred would really help from a local's perspective.

3231 Mr. Olson. Anything else you wish from Washington -- what
3232 we could do better to help you guys get through that? Because
3233 you guys were awesome but we can help you I think a lot more, much
3234 more -- much quicker.

3235 I mean, it just seemed like over and over people calling me
3236 up, I can't get somebody to come out to my house to, you know,
3237 look at my house and assess the damage.

3238 For example, Pearland had five large -- four large dump
3239 trucks go in that heavy water. Three are flooded out. You are
3240 down to one dump truck. And so I guess, you know, we are trying
3241 to get resources to you.

3242 Anything we can improve on here in D.C.? Because you all
3243 do great but we want you to do better. We can help, I think.

3244 Mr. Epperson. Yes, sir. I think any of those resources
3245 would help.

3246 Mr. Olson. The previous panel, Trent, talked about planning
3247 scenarios with TCEQ and EPA. Has Pearland been involved in any
3248 of those? Just -- have you been involved at that level planning
3249 for another hurricane like Harvey? Have you been involved in that

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3250 or are you sort of outside looking in?

3251 Mr. Epperson. We work, you know, with our local county
3252 emergency management as well as with the Texas Department of
3253 Emergency Management. But we haven't had any direct contact or
3254 work with those folks prepreparing for emergency.

3255 Mr. Olson. Have you had to adjust your plans for an 800 years
3256 flood as opposed to a 500-year flood or a 100-year flood? I mean,
3257 how much have you adapted to what happened in August with Hurricane
3258 Harvey?

3259 Mr. Epperson. I think the big thing we have recognized is
3260 that our newer infrastructure designed to current standards fared
3261 very well even with the unprecedented flooding and that it is our
3262 areas that have been there for many decades that were designed
3263 to other standards or before standards were in place that were
3264 mostly affected and that those are the areas we want to concentrate
3265 on for future drainage improvement projects as well as other
3266 resiliency projects to make sure that those areas also are able
3267 to withstand the same type of flooding.

3268 Of greatest importance to that is the Clear Creek project
3269 which is a project sponsored by the Harris County Flood Control
3270 District and I believe that project has been submitted for federal
3271 funding to move forward after this event.

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3272 Mr. Olson. I am out of time and I want to say Gig'em my
3273 friend. Thank you.

3274 Mr. Epperson. Gig'em.

3275 Mr. Shimkus. The chairman now turns to another Texan, Mr.
3276 Green, for five minutes.

3277 Mr. Green. Well, I appreciate it and I married into the
3278 Aggie family. My son and our son-in-law and my two grandchildren
3279 now think they are going to be in the Corps Cadets.

3280 But be that as it may, Mr. Howe, in your testimony you know
3281 that some of the city of Houston's wastewater operations were
3282 overwhelmed during Harvey.

3283 Can you describe in detail on what locations? Was it mainly
3284 upstream, Buffalo Bayou? Because every creek and bayou I have
3285 in my area in east Harris County were out of their banks. But
3286 it was mostly the city of Houston and Buffalo Bayou that the
3287 wastewater treatment plants were overwhelmed?

3288 Mr. Howe. Yes, sir. It is my understanding on the west side
3289 of Houston the wastewater plant was flooded out. Part of that
3290 was due to controlled flooding out of the Addicks Reservoir, as
3291 you are familiar with that area over there. They currently --

3292 Mr. Green. I don't represent it but I am familiar with it.

3293 Mr. Howe. Yes, I understand. The -- I understand from the

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3294 city of Houston water utility they are currently dealing with a
3295 wastewater line that is in Buffalo Bayou where the bayou is
3296 sloughing off continually.

3297 They have a wastewater line that is on the side of that. It
3298 is an ongoing issue. Obviously, there needs to be a coordinated
3299 response on how that gets rebuilt and how their line gets
3300 reinforced or moved.

3301 So it is these ongoing issues. The water system operated
3302 just fine. They were able to put coffer dams around the northeast
3303 water filter galleries to keep the water system operating fine
3304 but wastewater, by its very nature, as Mr. Epperson mentioned,
3305 are built in lower level areas and they had some significant
3306 flooding, particularly in Houston's lift stations, too.

3307 Mr. Green. We have untold number of water districts outside
3308 the city limits of Houston or Pasadena and I know they -- because
3309 they are built on the bayou close to where they're -- they treat
3310 the effluent and it goes -- they have permits to go into the bayous.

3311 Do you have any idea on how many of those were also impacted?

3312 Mr. Howe. I don't have specific numbers. The difficulty
3313 for -- in our response during Hurricane Harvey, obviously, was
3314 that there was a delayed response. No one could do an assessment
3315 until the flood waters went down.

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3316 Many of those operations were, obviously, shut down when the
3317 flooding started but it doesn't mean there wasn't a pollutant.
3318 I don't have specific numbers, though.

3319 Mr. Green. Okay. Well, I have the eastern part of the
3320 county and, like I say, I could give you the watersheds from the
3321 bayous and -- but Buffalo Bayou and the shipping port of Houston
3322 actually runs right in the middle of our district, and whether
3323 it be Brays or Sims, Sims Bayou looked like it was the one that
3324 didn't flood as bad as Brays and on the north side I have Greens
3325 Bayou, Carpenters Bayou in channel view, Hunting Bayou and --

3326 Mr. Howe. I grew up in Houston. I am familiar with all
3327 these.

3328 Mr. Green. All these -- and all of them were and these were
3329 multiple flooding experiences and we continue to work with the
3330 Corps of Engineers and, of course, our Harris County Flood Control
3331 District -- that a lot of our neighboring counties don't have flood
3332 control districts but in Harris County we pay property taxes to
3333 be able to have drainage ditches and, you know, take care of our
3334 bayous along with the partnership with the Corps.

3335 So it is a big challenge. Your -- Mr. Howe, in your testimony
3336 you said that the city of Houston was overwhelmed. What part of
3337 the city did they -- did they shut down the wastewater system or

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3338 did --

3339 Mr. Howe. It is my understanding --

3340 Mr. Green. -- what part of the city was impacted?

3341 Mr. Howe. Excuse me. I am sorry.

3342 On the west side of Houston they did have one of their
3343 wastewater plants completely flooded out. It was out of service.
3344 They were advising people not to flush, those who were still in
3345 their residences, and they were -- they had the resources to get
3346 that plant back online in three or four days, once the water --
3347 the water receded.

3348 You know, as you may be familiar, most of Houston's
3349 wastewater system is with forced mains or lift stations and they
3350 have a significant number of those and I know a number of those
3351 were flooded out.

3352 Houston proper was pretty resilient and a lot of that, much
3353 like some of the other cities around there. So I don't have
3354 specific details as to how they came back but they were very
3355 resilient on their own.

3356 Since Hurricane Ike they have built up a lot of resiliency
3357 within the city of Houston.

3358 Mr. Green. Well, in Harris County also many years ago,
3359 because you recognize we were subsiding, the city of Houston is

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3360 now almost totally on surface water and they have surface water
3361 rights.

3362 I know Pasadena I represent complains about having to pay
3363 high water rates for the city of Houston.

3364 So we have a central location for surface water so we don't
3365 continue to subside. Do you think there is -- should be an effort
3366 to try and create mega wastewater treatment facilities and partner
3367 with an untold number of water districts that we have and see how
3368 that would work?

3369 Mr. Howe. You know, obviously, sir, that is a local
3370 decision. The first thing, when you said it, that popped in my
3371 head was the -- an example of the Trinity River Authority in the
3372 Dallas-Fort Worth area, which is a mega wastewater operation
3373 without regard to issue.

3374 You know, most of Houston's water comes from the discharge
3375 in the Trinity River from TRA. That might be a possibility. I
3376 mean, there are any number of small package plants in the muds
3377 that you spoke of outside of the Houston area.

3378 There might be an effort to look at consolidating those in
3379 a system that would be more efficient. There are enormous costs
3380 involved in doing that and getting to that, you know, rerouting
3381 sewer lines and everything else. But it is those sort of options

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3382 I think everybody needs to look at.

3383 Mr. Green. Well, and I am already over time, but with the
3384 amount of money we are going to have to do to redo those plants
3385 and also the houses and the businesses downstream who are in danger
3386 of, you know, because of that effluent being in their houses and
3387 their -- in their businesses.

3388 So thank you, Mr. Chairman.

3389 Mr. Shimkus. I thank my colleague.

3390 I want to thank the colleagues who stayed and participated
3391 in the second panel. I personally really appreciate it. An
3392 observation is that these disasters that we are talking about in
3393 this event, if you noticed -- for the panelists, those of us who
3394 have been through them really kind of the same type of story.

3395 I do think there is an opportunity for us to work collectively
3396 and look at the Stafford Act. This is multi-jurisdictional,
3397 though. This would be a long-term, five, six years trying to get
3398 a response.

3399 I am -- you know, I just -- I keep thinking about big piles
3400 of stuff and how do you separate them. I am a big trash energy
3401 guy. I would like to see more of that. We have some locally that
3402 I have toured.

3403 Buy-out programs -- we just had a flood five years ago.

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3404 People are just getting their checks now. So there is a lot of
3405 ways these things can be fixed so we do appreciate your testimony.

3406 I also want to tell my -- to the committee that we have five
3407 legislative days to submit opening statements. I forgot to do
3408 that at the beginning of this.

3409 I want to thank you all for being here and pursuant to
3410 committee rules, I remind members that they have 10 business days
3411 to submit additional questions for the record.

3412 If you get those, if you would reply we would appreciate it
3413 and I ask that you submit your responses within 10 business days
3414 upon receipt of the questions.

3415 Of course, if your -- can't use your electric stuff because
3416 you are in a place where there is no electricity that might be
3417 a challenge. But we do appreciate you being here. There is a
3418 lot of work for us to do.

3419 Thank you for your time and with that, I will adjourn the
3420 hearing.

3421 [Whereupon, at 12:56 p.m., the committee was adjourned.]